TITLE 44—PUBLIC PRINTING AND DOCUMENTS

This title was enacted by Pub. L. 90-620, § 1, Oct. 22, 1968, 82 Stat. 1238

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Amendments

1974—Pub. L. 93-536, § 2, Dec. 22, 1974, 88 Stat. 1735, substituted "National Historical Publications and Records Commission" for "National Historical Publications Commission" in heading of chapter 25.

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Enacting Clause

Section 1 of Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1238, provided in part: "That the general and permanent laws relating to public printing and documents are revised, codified, and enacted as title 44, United States Code, 'Public Printing and Documents', and may be cited as '44 U.S.C. § ——' ".

Legislative Purpose; Inconsistent Provisions

Section 2(a) of Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1305, provided that: "The legislative purpose in enacting section 1 of this Act is to restate, without substantive change, the laws replaced by those sections on the effective date of this Act. Laws effective after January 14, 1968, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency."

References to Other Laws

Section 2(b) of Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1305, provided that: "A reference to a law replaced by section 1 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act."

Outstanding Orders, Rules and Regulations

Section 2(c) of Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1305, provided that: "An order, rule, or regulation in effect under a law replaced by section 1 of this Act shall continue in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded."

Savings Provision

Section 2(d) of Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1305, provided that: "An action taken or an offense committed under a law replaced by section 1 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act."

Legislative Construction

Section 2(e) of Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1306, provided that: "An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of its caption or catchline."

Separability of Provisions

Section 2(f) of Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1306, provided that: "If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid application or applications."

Repeals

Section 3 of Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1306, repealed the sections or parts thereof of the Revised Statutes or Statutes at Large codified in this title, except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before October 22, 1968, and except as provided by section 2 of Pub. L. 90–620.

Cross References

Acts and resolutions: formalities of enactment, repeals, and sealing of instruments, see section 101 et seq. of Title 1, General Provisions.

Administrative procedure, public information: agency rules, opinions, orders, records, and proceedings, see section 552 of Title 5, Government Organization and Employees.

American Printing House for the Blind, see section 101 et seq. of Title 20, Education.

Cataloging and standardization, coordination of Administrator of General Services and Secretary of Defense, see section 2456 of Title 10, Armed Forces.

Code of Laws of United States and Supplements, District of Columbia Code and Supplements, see section 201 et seq. of Title 1, General Provisions; section 285b of Title 2, The Congress.

Collections of Government Printing Office accessible to investigators and students, see section 91 of Title 20, Education.

Congressional provisions: elections, organization, compensation, officers and employees, Library of Congress, and procedures, see generally Title 2, The Congress.

Corporation for Public Broadcasting journals, see section 396 of Title 47, Telegraphs, Telephones, and Radiotelegraphs.

Crimes—

Printing contracts, see section 442 of Title 18, Crimes and Criminal Procedure.

Printing obligations, securities, and postage stamps of United States and foreign countries, authorization notwithstanding counterfeiting and forgery prohibitions, see section 504 of Title 18.

Public officers and employees, see section 1901 et seq. of Title 18.

Records and reports, see section 2071 et seq. of Title 18.

Employees: employment, retention and performance, see Title 5, Government Organization and Employees.

Executive provisions generally, see Title 3, The President.

Executive reorganization, general provisions and effective date and publication of reorganization plans, see chapter 9 of Title 5, Government Organization and Employees.

Food stamp program, printing of coupons for, see section 2015 of Title 7, Agriculture.

General Services Administration, see section 751 et seq. of Title 40, Public Buildings, Property, and Works.

Hours of work, see chapter 61 of Title 5, Government Organization and Employees.

Leave: annual, sick, and other paid leave, see chapter 63 of Title 5.

Library of Congress, see section 131 et seq. of Title 2, The Congress.

Management and disposal of Government property, see chapter 10 of Title 40, Public Buildings, Property, and Works.

Official territorial papers, see section 141 et seq. of Title 4, Flag and Seal, Seat of Government, and the States.

Patent and Trademark Office library, see section 8 of Title 35, Patents.

Prints defined under Foreign Agents Registration Act, see section 611 of Title 22, Foreign Relations and Intercourse.

Standard reference data program, see section 201 et seq. of Title 15, Commerce and Trade.

Walsh-Healey Act, see sections 35-45 of Title 41, Public Contracts.

CHAPTER 1—JOINT COMMITTEE ON PRINTING

Sec.

101. Joint Committee on Printing: membership.
102. Joint Committee on Printing: succession; powers during recess.
103. Joint Committee on Printing: remedial powers.

Federal Records Management Provisions Without Effect on Chapter

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

§ 101. Joint Committee on Printing: membership

The Joint Committee on Printing shall consist of the chairman and two members of the Committee on Rules and Administration of the Senate and the chairman and two members of the Committee on House Administration of the House of Representatives.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1238.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 1 (Jan. 12, 1895, ch. 23, § 1, 28 Stat. 601; Aug. 2, 1946, ch. 753, title II, § 222, 60 Stat. 838).

Powers of the Committee

Last seven words in the statute, "who shall have the powers hereinafter stated", are omitted as unnecessary since the powers of the Committee are stated in other sections.

Short Title of 1976 Amendment

Pub. L. 94-575, § 1, Oct. 21, 1976, 90 Stat. 2723, provided that: "This Act [amending sections 2103, 2108, 2111, 2112, 2901, 2902, 2904, 2906, 2907, 3102, 3103, 3107, 3301, and 3302 of this title, repealing section 2910 of this title, and enacting provisions set out as a note under section 2901 of this title] may be cited as the 'Federal Records Management Amendments of 1976'."

Short Title of 1974 Amendment

Pub. L. 93-526, title II, § 201, Dec. 19, 1974, 88 Stat. 1698, provided that: "This title [enacting sections 3315 to 3324 of this title] may be cited as the 'Public Documents Act'."

§ 102. Joint Committee on Printing: succession; powers during recess

The members of the Joint Committee on Printing who are reelected to the succeeding Congress shall continue as members of the committee until their successors are chosen. The President of the Senate and the Speaker of the House of Representatives shall, on the last day of a Congress, appoint members of their respective Houses who have been elected to the succeeding Congress to fill vacancies which may then be about to occur on the Committee, and the appointees and members of the Committee who have been reelected shall continue until their successors are chosen.

When Congress is not in session, the Joint Committee may exercise all its powers and duties as when Congress is in session.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1238.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 2 (Mar. 2, 1895, ch. 189, § 1, 28 Stat. 962; Mar. 3, 1917, ch. 163, § 6, 39 Stat. 1121).

Changes are made in phraseology.

§ 103. Joint Committee on Printing: remedial powers

The Joint Committee on Printing may use any measures it considers necessary to remedy neglect, delay, duplication, or waste in the public printing and binding and the distribution of Government publications.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1239.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 4 (Jan. 12, 1895, ch. 23, § 2, 28 Stat. 601; Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1012; Mar. 1, 1919, ch. 86, § 11, 40 Stat. 1270).

Only that portion of section 11 of the 1919 Act that precedes the proviso is included in this section. The balance is incorporated in section 501 of this revision.

Changes are made in phraseology.

Procurement of Services of Consultants

Pub. L. 94-303, title I, § 119, June 1, 1976, 90 Stat. 616, provided in part: "That, effective May 1, 1976, the Joint Committee is authorized (1) to procure the temporary or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under subsection (i) of section 202 of the Legislative Reorganization Act of 1946, as amended [section 72a(i) of Title 2, The Congress], and (2) with the prior consent of the agency concerned, to use on a reimbursable basis the services of personnel, information, and facilities of any such agency: *Provided further*, That, prior to the employment of any consultants or the procurement of services by contract relative to any review and analysis of the operation of the Government Printing Office, the Joint Committee shall consult with the Legislative Branch Appropriations Subcommittees of the House and Senate; and that periodic reports on the progress of any such review and analysis be submitted to the Joint Committee on Printing and the Legislative Branch Appropriations Subcommittees of the House and Senate."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1914 of this title.

CHAPTER 3—GOVERNMENT PRINTING OFFICE

Sec.
301. Public Printer; appointment.
302. Deputy Public Printer: appointment; duties.
303. Public Printer and Deputy Public Printer: pay.
304. Public Printer: vacancy in office.
305. Public Printer: employees; pay.
306. Public Printer: employment of skilled workmen; trial of skill.
307. Public Printer: night work.
308. Disbursing officer; deputy disbursing officer; certifying officers and employees.
309. Revolving fund for operation and maintenance of Government Printing Office: capitalization; reimbursements and credits; accounting and budgeting; reports.
310. Payments for printing, binding, blank paper, and supplies.
311. Purchases exempt from the Federal Property and Administrative Services Act.
312. Machinery, material, equipment, or supplies from other Government agencies.
313. Examining boards: paper; bindery materials; machinery.
314. Inks, glues, and other supplies furnished to other Government agencies: payment.
315. Branches of Government Printing Office; limitations.
316. Detail of employees of Government Printing Office to other Government establishments.
317. Special policemen.

AMENDMENTS

1975—Pub. L. 94–82, title II, § 204(c)(2), Aug. 9, 1975, 89 Stat. 421, substituted "pay" for "compensation" in item 303.

1974—Pub. L. 93–459, § 1(b), Oct. 20, 1974, 88 Stat. 1385, substituted "Disbursing officer; deputy disbursing officer; certifying officers and employees." for "Disbursing officer: continuation and settlement of accounts during vacancy in office; responsibility for accounts; disbursements for Superintendent of Documents." in item 308.

1972—Pub. L. 92-310, title II, § 210(a)(3), June 6, 1972, 86 Stat. 204, eliminated "; bond" from item 301.

1970—Pub. L. 91-359, § 1(b), July 31, 1970, 84 Stat. 668, added item 317.

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

§ 301. Public Printer: appointment

The President of the United States shall nominate and, by and with the advice and consent of the Senate, appoint a suitable person, who must be a practical printer and versed in the art of bookbinding, to take charge of and manage the Government Printing Office. His title shall be Public Printer.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1239; Pub. L. 92-310, title II, § 210(a)(1), (2), June 6, 1972, 86 Stat. 204.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 31 (Jan. 12, 1895, ch. 23, § 17, 28 Stat. 603; June 12, 1917, ch. 27, 31, 40 Stat. 173; Feb. 20, 1923, ch. 98, 42 Stat. 1278; Mar. 4, 1925, ch. 549, § 1, 43 Stat. 1299; May 29, 1928, ch. 909, 45 Stat. 1006).

Changes are made in phraseology.

AMENDMENTS

1972—Pub. L. 92-310 eliminated "; bond" from the section catchline, and provisions from the text of the section which required the Public Printer to give a bond in the sum of $25,000.

§ 302. Deputy Public Printer: appointment; duties

The Public Printer shall appoint a suitable person, who must be a practical printer and versed in the art of bookbinding, to be the Deputy Public Printer. He shall perform the duties formerly required of the chief clerk, supervise the buildings occupied by the Government Printing Office, and perform any other duties required of him by the Public Printer.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1239.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 39 (May 27, 1908, ch. 200, § 1, 35 Stat. 382).

Phraseology is changed to conform with section 301 of this revision.

§ 303. Public Printer and Deputy Public Printer: pay

The annual rate of pay for the Public Printer shall be a rate which is equal to the rate for level IV of the Executive Schedule of subchapter II of chapter 53 of title 5. The annual rate of pay for the Deputy Public Printer shall be a rate which is equal to the rate for level V of such Executive Schedule.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1239; Pub. L. 94–82, title II, § 204(c)(1), Aug. 9, 1975, 89 Stat. 421.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 39a (Pub. L. 88-426, title II, § 203(c), (d), Aug. 14, 1964, 78 Stat. 415).

REFERENCES IN TEXT

Levels IV and V of the Executive Schedule, referred to in text, are set out under sections 5315 and 5316, respectively, of Title 5, Government Organization and Employees.

AMENDMENTS

1975—Pub. L. 94–82 substituted "pay" for "compensation" in section catchline, and substituted provisions setting the rate of pay for the Public Printer at a rate equal to the rate for level IV of the Executive Schedule and the rate of pay for Deputy Public Printer at a rate equal to the rate for level V of such Schedule for provisions setting the compensation of the Public Printer and the Deputy Public Printer at the rate of $28,750 and $27,500 per annum, respectively.

1977 INCREASES IN SALARIES

Salaries of the Public Printer and Deputy Public Printer increased respectively to $50,000 and $47,500 per annum, upon recommendation of the President of the United States, see Salary Recommendations for 1977 Increases note set out under section 358 of Title 2, The Congress.

1969 INCREASES IN SALARIES

Salaries of the Public Printer and Deputy Public Printer increased respectively from $28,750 and $27,500 to $38,000 and $36,000 per annum, commencing on the first day of the pay period which begins after Feb. 14, 1969, upon recommendation of the President of the United States, pursuant to Pub. L. 90-206, title II, § 225(h), Dec. 16, 1967, 81 Stat. 644.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 2 section 356.

§ 304. Public Printer: vacancy in office

In case of the death, resignation, absence, or sickness of the Public Printer, the Deputy Public Printer shall perform the duties of the Public Printer until a successor is appointed or his absence or sickness ceases; but the President may direct any other officer of the Government, whose appointment is vested in the President by and with the advice and consent of the Senate, to perform the duties of the vacant office until a successor is appointed, or the sickness or absence of the Public Printer ceases. A vacancy occasioned by death or resignation may not be filled temporarily under this section for longer than ten days, and a temporary appointment, designation, or assignment of another officer may not be made except to fill a vacancy happening during a recess of the Senate.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1239.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 32 (Jan. 12, 1895, ch. 23, § 36, 28 Stat. 606; May 27, 1908, ch. 200, § 1, 35 Stat. 382.)

§ 305. Public Printer: employees; pay

(a) The Public Printer may employ journeymen, apprentices, laborers, and other persons necessary for the work of the Government Printing Office at rates of wages and salaries, including compensation for night and overtime work, he considers for the interest of the Government and just to the persons employed, except as otherwise provided by this section. He may not employ more persons than the necessities of the public work require nor more than four hundred apprentices at one time. The minimum pay of journeymen printers, pressmen, and bookbinders employed in the Government Printing Office shall be at the rate of 90 cents an hour for the time actually employed. Except as provided by the preceding part of this section the rate of wages, including compensation for night and overtime work, for more than ten employees of the same occupation shall be determined by a conference between the Public Printer and a committee selected by the trades affected, and the rates and compensation so agreed upon shall become effective upon approval by the Joint Committee on Printing. When the Public Printer and the committee representing the trade fail to agree as to wages, salaries, and compensation, either party may appeal to the Joint Committee on Printing, and the decision of the Joint Committee is final. The wages, salaries, and compensation so determined are not subject to change oftener than once a year.

(b) The Public Printer may grant an employee paid on an annual basis compensatory time off from duty instead of overtime pay for overtime work.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1240; Pub. L. 91-167, Dec. 26, 1969, 83 Stat. 453; Pub. L. 91-369, May 21, 1970, 84 Stat. 693.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 40 (Jan. 12, 1895, ch. 23, §§ 39, 49, 50, 28 Stat. 607, 608; June 6, 1900, ch. 791, § 1, 31 Stat. 643; Mar. 4, 1909, ch. 299, § 1, 35 Stat. 1021, 1024; Aug. 24, 1912, ch. 355, § 1, 37 Stat. 482; July 8, 1918, ch. 139, § 1, 40 Stat. 836; Aug. 2, 1919, ch. 30, 41 Stat. 272; Feb. 20, 1923, ch. 98, 42 Stat. 1278; June 7, 1924, ch. 354, § 1, 43 Stat. 658).

Last sentence of this section was deleted as executed.

AMENDMENTS

1970—Pub. L. 91-369 designated existing provisions as subsec. (a) and added subsec. (b).

1969—Pub. L. 91-167 substituted "four hundred" for "two hundred" as the number of apprentices which the Public Printer may employ at one time.

REPEALS

General repealer of provisions inconsistent with Pub. L. 92-392 as not repealing or affecting this section, see section 13 of Pub. L. 92-392, Aug. 19, 1972, 86 Stat. 575, set out as a note under section 5341 of Title 5, Government Organization and Employees.

CROSS REFERENCES

Classification of government employees and pay rates and systems, including General Schedule, see sections 5101 et seq., 5301 et seq., and section 5332 of Title 5, Government Organization and Employees.

Classification of positions, provisions inapplicable to employees of Government Printing Office with pay fixed hereunder, see section 5102 of Title 5.

Fair Labor Standards Act minimum wage and maximum hours provisions, see sections 206 and 207 of Title 29, Labor.

Performance rating of employees of Government Printing Office, see chapter 43 of Title 5, Government Organization and Employees.

Superintendent of Documents, additional pay of employees for night, Sunday, holiday, and overtime work as determined hereunder, see section 1704 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1704 of this title; title 5 sections 5102, 5349.

§ 306. Public Printer: employment of skilled workmen; trial of skill

The Public Printer shall employ workmen who are thoroughly skilled in their respective branches of industry, as shown by trial of their skill under his direction.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1240.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 41 (Jan. 12, 1895, ch. 23, § 45, 28 Stat. 607).

§ 307. Public Printer: night work

The Public Printer shall cause the public printing in the Government Printing Office to be done at night as well as through the day, when the exigencies of the public service require it.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1240.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 42 (Jan. 12, 1895, ch. 23, § 47, 28 Stat. 607).

§ 308. Disbursing officer; deputy disbursing officer; certifying officers and employees

(a) The Public Printer shall appoint from time to time a disbursing officer of the Govern-

ment Printing Office (including the Office of the Superintendent of Documents) who shall be under the direction of the Public Printer. The disbursing officer shall (1) disburse moneys of the Government Printing Office only upon, and in strict accordance with, vouchers certified by the Public Printer or by an officer or employee of the Government Printing Office authorized in writing by the Public Printer to certify such vouchers, (2) make such examination of vouchers as may be necessary to ascertain whether they are in proper form, certified, and approved, and (3) be held accountable accordingly. However, the disbursing officer shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which, under subsection (c) of this section, is imposed upon a certifying officer or employee of the Government Printing Office.

(b)(1) Upon the death, resignation, or separation from office of the disbursing officer, his accounts may be continued, and payments and collection may be made in his name, by any individual designated as a deputy disbursing officer by the Public Printer, for a period of time not to extend beyond the last day of the second month following the month in which the death, resignation, or separation occurred. Accounts and payments shall be allowed, audited, and settled, and checks signed in the name of the former disbursing officer by a deputy disbursing officer shall be honored in the same manner as if the former disbursing officer had continued in office.

(2) A former disbursing officer of the Government Printing Office or his estate may not be subject to any legal liability or penalty for the official accounts or defaults of the deputy disbursing officer acting in the name or in the place of the former disbursing officer. Each deputy disbursing officer is responsible for accounts entrusted to him under paragraph (1) of this subsection, and the deputy disbursing officer is liable for any default occurring during his service under such paragraph.

(c)(1) The Public Printer may designate in writing officers and employees of the Government Printing Office to certify vouchers for payment from appropriations and funds. Such officers and employees shall (A) be responsible for the existence and correctness of the facts recited in the certificate or other voucher or its supporting papers and for the legality of the proposed payment under the appropriation or funds involved, (B) be responsible and accountable for the correctness of the computations of certified vouchers, and (C) be accountable for, and required to make restitution to, the United States for the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved. However, the Comptroller General of the United States, may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds that (i) the certification was based on the official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained, the actual facts, or (ii) when the obligation was incurred in good faith, the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment. The Comptroller General shall relieve such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 66 of title 49, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deductions.

(2) The liability of such certifying officers or employees shall be enforced in the same manner and to the same extent as provided by law with respect to the enforcement of the liability of disbursing and other accountable officers. Such certifying officers and employees shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in a payment on any vouchers presented to them for certification.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1240; Pub. L. 92–310, title II, § 210(b), June 6, 1972, 86 Stat. 204; Pub. L. 93–459, § 1(a), Oct. 20, 1974, 88 Stat. 1384.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§ 52a, 63, 73 (part) (June 25, 1910, ch. 384, § 1, 36 Stat. 770; Feb. 20, 1923, ch. 98, 42 Stat. 1278; Pub. L. 86–31, May 26, 1959, 73 Stat. 60).

The last paragraph of this section is from former section 73; the remainder of that section will be found in section 1702 of the revision.

Paragraph (a) deleted as executed.

AMENDMENTS

1974—Pub. L. 93–459 in the section catchline substituted "Disbursing officer; deputy disbursing officer; certifying officers and employees" for "Disbursing officer: continuation and settlement of accounts during vacancy in office; responsibility for accounts; disbursements for Superintendent of Documents".

Subsec. (a). Pub. L. 93–459 added subsec. (a). Former subsec. (a) redesignated (b)(1).

Subsec. (b)(1). Pub. L. 93–459 redesignated provisions of former subsec. (a) as subsec. (b)(1), and as so redesignated, substituted "by any individual designated as a deputy disbursing officer by the Public Printer" for "by the deputy disbursing officer or officers designated by the Public Printer".

Subsec. (b)(2). Pub. L. 93–459 redesignated provisions of former subsec. (b) as subsec. (b)(2), and as so designated, substituted "paragraph (1) of this subsection" for "subsection (a) of this section", and "under such paragraph" for "under subsection (a) of this section".

Subsec. (c). Pub. L. 93–459 added subsec. (c). Former subsec. (c), relating to disbursements on account of salaries or other expenses of the office of the Superintendent of Documents, was struck out.

1972—Subsec. (b). Pub. L. 92–310 eliminated provisions which related to sureties on official bonds.

§ 309. Revolving fund for operation and maintenance of Government Printing Office: capitalization; reimbursements and credits; accounting and budgeting; reports

(a) The revolving fund of $1,000,000 established July 1, 1953, is available without fiscal year limitation, for—

the operation and maintenance of the Government Printing Office, except the Office of Superintendent of Documents, including rental of buildings;

attendance at meetings not to exceed $3,000 in any fiscal year;

maintenance and operation of the emergency room;

uniforms, or allowances therefor, as authorized by section 5901 of Title 5;

boots, coats, and gloves;

repairs and minor alterations to buildings; and

expenses authorized in writing by the Joint Committee on Printing for inspection of Government printing activities.

In addition, the Public Printer shall provide capital for the fund by capitalizing, at fair and reasonable values as jointly determined by him and the Comptroller General, the current inventories, plant, and building appurtenances, except building structures and land, equipment, and other assets of the Government Printing Office.

(b) The fund shall be:

(1) reimbursed for the cost of all services and supplies furnished, including those furnished other appropriations of the Government Printing Office, at rates which include charges for overhead and related expenses, depreciation of plant and building appurtenances, except building structures and land, and equipment, and accrued leave;

(2) credited with all receipts including sales of Government publications, waste, condemned, and surplus property and with payments received for losses or damage to property; and

(3) charged with payment into miscellaneous receipts of the Treasury of that part of the receipts from the sales of Government publications required by law.

(c) An adequate system of accounts for the fund shall be maintained on the accrual method, and financial reports prepared on the basis of the accounts. The Public Printer shall prepare and submit an annual business-type budget program for the operations under this fund. The Comptroller General shall audit the activities of the Government Printing Office at least once in every three years and shall furnish reports of such audits to the Congress and the Public Printer. For these purposes the Comptroller General shall have such access to the records, files, personnel, and facilities of the Government Printing Office as he considers necessary.

(d) Commencing with the fiscal year 1969, the annual business-type budget for the fund shall be considered and enacted as prescribed by section 849 of title 31.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1241; Pub. L. 93-604, title VII, § 707, Jan. 2, 1975, 88 Stat. 1965.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 63, 63a (Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 330; Aug. 5, 1955, ch. 568, § 101, 69 Stat. 519; June 27, 1956, ch. 453, § 101, 70 Stat. 369); § 63a (July 28, 1967, Pub. L. 90-57, § 101 (part), 81 Stat. 141).

AMENDMENTS

1975—Subsec. (c). Pub. L. 93-604 substituted provisions that the Comptroller General shall audit the activities of the Government Printing Office at least once in every three years and furnish reports of the audits to the Congress and the Public Printer for provisions that the General Accounting Office shall audit the activities of the Government Printing Office and furnish an audit report annually to the Congress and the Public Printer.

CROSS REFERENCES

Accounting and auditing, see section 65 et seq. of Title 31, Money and Finance.

Annual report of Public Printer, printing and distribution, see section 1340 of this title.

Audit and settlement of accounts, see section 71 et seq. of Title 31, Money and Finance.

National budget and audit system, see section 1 et seq. of Title 31.

Receipts from sales, disposition—

Documents see section 1702 of this title.

Federal Register, see section 1509 of this title.

Government publications, additional copies, see section 1708 of this title.

§ 310. Payments for printing, binding, blank paper, and supplies

An executive department or independent establishment of the Government ordering printing and binding or blank paper and supplies from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost, as the case may be, and bills rendered by the Public Printer are not subject to audit or certification in advance of payment. Adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed by the Public Printer and the department or establishment concerned.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1241.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 230 (Aug. 1, 1953, ch. 304, title I, § 101, 67 Stat. 331).

§ 311. Purchases exempt from the Federal Property and Administrative Services Act

Purchases may be made from appropriations under the "Government Printing Office" without reference to the Federal Property and Administrative Services Act, approved June 30, 1949, as amended, concerning purchases for the Federal Government.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1242.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 64 (Aug. 1, 1953, ch. 304, title I, § 102, 67 Stat. 332).

Reference to Printing Act of 1895 deleted as superseded by section 309.

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in text, is act June 30, 1949, ch.

288, 63 Stat. 377. Provisions of that act relating to purchases are classified to subchapter IV (§ 251 et seq.) of chapter 4 of Title 41, Public Contracts. For complete classification of this Act to the Code, see Short Title note set out under section 471 of Title 40, Public Buildings, Property, and Works, and Tables volume.

§ 312. Machinery, material, equipment, or supplies from other Government agencies

An officer of the Government having machinery, material, equipment, or supplies for printing, binding, and blank-book work, including lithography, photolithography, and other processes of reproduction, no longer required or authorized for his service, shall submit a detailed report of them to the Public Printer. The Public Printer, with the approval of the Joint Committee on Printing, may requisition such articles as are serviceable in the Government Printing Office, and they shall be promptly delivered to that office.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1242.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 59 (July 19, 1919, ch. 24, § 3, 41 Stat. 233).

§ 313. Examining boards: paper; bindery materials; machinery

The Deputy Public Printer, the superintendent of printing, and a person designated by the Joint Committee on Printing, shall constitute a board to examine and report in writing on paper delivered under contract, or by purchase or otherwise, at the Government Printing Office.

The Deputy Public Printer, the superintendent of binding, and a person designated by the Joint Committee on Printing shall constitute a board to examine and report in writing on material, except paper, for the use of the bindery.

The Deputy Public Printer, the superintendent of printing, and a person designated by the Joint Committee on Printing shall constitute a board of condemnation, who, upon the call of the Public Printer, shall determine the condition of presses and other machinery and material used in the Government Printing Office, with a view to condemnation.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1242.)

Historical and Revision Notes

Based on U.S. Code, 1964 ed., § 49 (Jan. 12, 1895, ch. 23, § 20, 28 Stat. 603; May 27, 1908, ch. 200, § 1, 35 Stat. 382; June 7, 1924, ch. 303, § 1, 43 Stat. 509).

Cross References

Comparison of paper and envelopes with standard quality, see section 513 of this title.

Joint Committee on Printing determination of quality of paper, see section 514 of this title.

§ 314. Inks, glues, and other supplies furnished to other Government agencies: payment

Inks, glues, and other supplies manufactured by the Government Printing Office in connection with its work may be furnished to departments and other establishments of the Government upon requisition, and payment made from appropriations available.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1242.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 62 (June 30, 1932, ch. 314; pt. I, § 1, 47 Stat. 397).

§ 315. Branches of Government Printing Office; limitations

Money appropriated by any Act may not be used for maintaining more than one branch of the Government Printing Office in any one building occupied by an executive department of the Government, and a branch of the Government Printing Office may not be established unless specifically authorized by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1242.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 61 (Aug. 1, 1914, ch. 223, § 1, 38 Stat. 673).

§ 316. Detail of employees of Government Printing Office to other Government establishments

An employee of the Government Printing Office may not be detailed to duties not pertaining to the work of public printing and binding in an executive department or other Government establishment unless expressly authorized by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1242.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 47 (June 25, 1910, ch. 384, § 1, 36 Stat. 770).

§ 317. Special policemen

The Public Printer or his delegate may designate employees of the Government Printing Office to serve as special policemen to protect persons and property in premises and adjacent areas occupied by or under the control of the Government Printing Office. Under regulations to be prescribed by the Public Printer, employees designated as special policemen are authorized to bear and use arms in the performance of their duties; make arrest for violations of laws of the United States, the several States, and the District of Columbia; and enforce the regulations of the Public Printer, including the removal from Government Printing Office premises of individuals who violate such regulations. The jurisdiction of special policemen in premises occupied by or under the control of the Government Printing Office and adjacent areas shall be concurrent with the jurisdiction of the respective law enforcement agencies where the premises are located.

(Added Pub. L. 91–359, § 1(a), July 31, 1970, 84 Stat. 668.)

CHAPTER 5—PRODUCTION AND PROCUREMENT OF PRINTING AND BINDING

Sec.
501. Government printing, binding, and blank-book work to be done at Government Printing Office.
502. Procurement of printing, binding, and blank-book work by Public Printer.
503. Printing in veterans' hospitals.
504. Direct purchase of printing, binding, and blank-book work by Government agencies.
505. Sale of duplicate plates; copyright.
506. Time for printing documents or reports which include illustrations or maps.

Sec.
507. Orders for printing to be acted upon within one year.
508. Annual estimates of quantity of paper required for public printing and binding.
509. Standards of paper; advertisements for proposals; samples.
510. Specifications in advertisements for paper.
511. Opening bids; bonds.
512. Approval of paper contracts; time for performance; bonds.
513. Comparison of paper and envelopes with standard quality.
514. Determination of quality of paper.
515. Default of contractor; new contracts and purchase in open market.
516. Liability of defaulting contractor.
517. Purchase of paper in open market.

AMENDMENT EFFECTIVE JANUARY 1, 1978

Pub. L. 94–553, §§ 102, 105(a)(2), Oct. 19, 1976, 90 Stat. 2598, 2599, provided that effective Jan. 1, 1978, item 505 will read as follows:

"§ 505. Sale of duplicate plates."

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94–575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 29 section 1304.

§ 501. Government printing, binding, and blank-book work to be done at Government Printing Office

All printing, binding, and blank-book work for Congress, the Executive Office, the Judiciary, other than the Supreme Court of the United States, and every executive department, independent office and establishment of the Government, shall be done at the Government Printing Office, except—

(1) classes of work the Joint Committee on Printing considers to be urgent or necessary to have done elsewhere; and

(2) printing in field printing plants operated by an executive department, independent office or establishment, and the procurement of printing by an executive department, independent office or establishment from allotments for contract field printing, if approved by the Joint Committee on Printing.

Printing or binding may be done at the Government Printing Office only when authorized by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1243.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 111 and 116 (part) (Jan. 12, 1895, ch. 23, §§ 86, 87, 28 Stat. 662; Mar. 1, 1919, ch. 86, § 11, 40 Stat. 1270; July 5, 1949, ch. 296, 63 Stat. 405).

This section incorporates only the first sentence of former section 116. The balance will be found in section 1123 of the revision.

CROSS REFERENCES

American Battle Monuments Commission, printing authority, see section 138b of Title 36, Patriotic Societies and Observances.

Appropriations, expenditures or contract obligations in excess of funds prohibited, see section 665 of Title 31, Money and Finance.

Bureau of Engraving and Printing: bonds, notes, and checks; printing on presses and power presses by Secretary of Treasury, see section 177 of Title 31.

Federal Communications Commission, printing for, see section 154 of Title 47, Telegraphs, Telephones, and Radiotelegraphs.

Federal Power Commission, expenditures for printing and binding, see section 793 of Title 16, Conservation.

Foreign assistance, use of funds for printing and binding without regard to the provisions of any other law, see section 2396 of Title 22, Foreign Relations and Intercourse.

Form and style of work for departments, see section 1105 of this title.

Joint Committee on Taxation, printing and binding, see section 8021 of Title 26, Internal Revenue Code.

National Science Foundation, publication of scientific and technical information without regard to the provisions of this section, see section 1870(g) of Title 42, The Public Health and Welfare.

Notes, bonds, and other securities, engraving and printing at the Treasury Department, see section 415 of Title 31, Money and Finance.

Office of Economic Opportunity, Director of; expenditures for printing and binding in accordance with applicable law and regulation, see section 2942 of Title 42, The Public Health and Welfare.

Patent and Trademark Office, limitations and conditions concerning printing and lithographing, see section 1338 of this title.

Peace Corps, use of funds for printing and binding without regard to the provisions of any other law, see section 2514 of Title 22, Foreign Relations and Intercourse.

Printing and binding outside continental United States, Secretary of State to provide when funds appropriated, see section 2669 of Title 22.

Selective Service System, printing for, see section 460 of Appendix to Title 50, War and National Defense.

Senate library, cost limitation on binding for, see section 737 of this title.

Supreme Court, printing and binding, see section 676 of Title 28, Judiciary and Judicial Procedure.

Tax Court reports, publication at Government Printing Office, see section 7462 of Title 26, Internal Revenue Code.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 503 of this title; title 7 section 285; title 16 sections 916*l*, 961; title 20 sections 954, 956; title 21 section 114c; title 22 sections 272a, 280b, 280i, 280k, 287e, 287r, 290b, 1471, 2024, 2588, 2669; title 33 section 1123; title 42 section 1870.

§ 502. Procurement of printing, binding, and blank-book work by Public Printer

Printing, binding, and blank-book work authorized by law, which the Public Printer is not able or equipped to do at the Government Printing Office, may be produced elsewhere under contracts made by him with the approval of the Joint Committee on Printing.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1243.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 111a (Feb. 28, 1929, ch. 367, § 1, 45 Stat. 1400).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 50 App. section 460.

§ 503. Printing in veterans' hospitals

Notwithstanding section 501 of this title, the Administrator of Veterans' Affairs may utilize the printing and binding equipment that the various hospitals and homes of the Veterans' Administration use for occupational therapy, for printing and binding which he finds advisable for the use of the Veterans' Administration.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1243.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 111b (June 16, 1933, ch. 101, § 1, 48 Stat. 302; Feb. 2, 1935, ch. 3, § 1, 49 Stat. 18; Mar. 19, 1936, ch. 156, § 1, 49 Stat. 1182).

§ 504. Direct purchase of printing, binding, and blank-book work by Government agencies

The Joint Committee on Printing may permit the Public Printer to authorize an executive department, independent office, or establishment of the Government to purchase direct for its use such printing, binding, and blank-book work, otherwise authorized by law, as the Government Printing Office is not able or suitably equipped to execute or as may be more economically or in the better interest of the Government executed elsewhere.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1243.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 14 (Jan. 12, 1895, ch. 23, § 12, 28 Stat. 602; July 8, 1935, ch. 374, § 1, 49 Stat. 475; Oct. 31, 1951, ch. 654, § 3(10), 65 Stat. 708).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 50 App. section 2253.

§ 505. Sale of duplicate plates; copyright

The Public Printer shall sell, under regulations of the Joint Committee on Printing, to persons who may apply, additional or duplicate stereotype or electrotype plates from which a Government publication is printed, at a price not to exceed the cost of composition, the metal, and making to the Government, plus 10 percent, and the full amount of the price shall be paid when the order is filed. A publication reprinted from these plates and other Government publications may not be copyrighted.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1244.)

AMENDMENT EFFECTIVE JANUARY 1, 1978

Pub. L. 94–553, §§ 102, 105(a)(1), Oct. 19, 1976, 90 Stat. 2598, 2599, provided that effective Jan. 1, 1978, section 505 of this title will read as follows:

"§ 505. Sale of duplicate plates

"The Public Printer shall sell, under regulations of the Joint Committee on Printing to persons who may apply, additional or duplicate stereotype or electrotype plates from which a Government publication is printed, at a price not to exceed the cost of composition, the metal, and making to the Government, plus 10 per centum, and the full amount of the price shall be paid when the order is filed."

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 58 (Jan. 12, 1895, ch. 23, § 52, 28 Stat. 608).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 39 section 405.

§ 506. Time for printing documents or reports which include illustrations or maps

A document or report to be illustrated or accompanied by maps may not be printed by the Public Printer until the illustrations or maps designed for it are ready for publication.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1244.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 115 (part) (Jan. 12, 1895, ch. 23, § 80, 28 Stat. 621).

This section incorporates only the first clause of former section 115. The balance will be found in section 507 of the revision.

§ 507. Orders for printing to be acted upon within one year

An order for public printing may not be acted upon by the Public Printer after the expiration of one year unless the entire copy and illustrations for the work have been furnished within that period.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1244.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 115 (part) (Jan. 12, 1895, ch. 23, § 80, 28 Stat. 621).

This section incorporates only the second clause of former section 115. The balance will be found in section 506 of the revision.

§ 508. Annual estimates of quantity of paper required for public printing and binding

At the beginning of each session of Congress, the Public Printer shall submit to the Joint Committee on Printing estimates of the quantity of paper of all descriptions required for the public printing and binding during the ensuing year.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1244.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 36 (Jan. 12, 1895, ch. 23, § 26, 28 Stat. 604).

§ 509. Standards of paper; advertisements for proposals; samples

The Joint Committee on Printing shall fix upon standards of paper for the different descriptions of public printing and binding, and the Public Printer, under their direction, shall advertise in six newspapers or trade journals, published in different cities, for sealed proposals to furnish the Government with paper, as specified in the schedule to be furnished applicants by the Public Printer, setting forth in detail the quality and quantities required for the public printing. The Public Printer shall furnish samples of the standard of papers fixed upon to applicants who desire to bid.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1244.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 5 (Jan. 12, 1895, ch. 23, § 3, 28 Stat. 601; Mar. 3, 1925, ch. 421, § 1, 43 Stat. 1105).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 515, 1121 of this title.

§ 510. Specifications in advertisements for paper

The advertisements for proposals shall specify the minimum portion of each quality of paper required for either three months, six months, or one year, as the Joint Committee on Printing determines; but when the minimum portion so specified exceeds, in any case, one thousand reams, it shall state that proposals will be received for one thousand reams or more.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1244.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1954 ed., § 6 (Jan. 12, 1895, ch. 23, § 4, 28 Stat. 601).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 515, 1121 of this title.

§ 511. Opening bids; bonds

The sealed proposals to furnish paper and envelopes shall be opened in the presence of the Joint Committee on Printing who shall award the contracts to the lowest and best bidder for the interest of the Government. The committee may not consider a proposal that is not accompanied by a bond with security or certified check in the amount of $5,000, guaranteeing that the bidder if his proposal is accepted, will enter into a formal contract with the United States to furnish the paper or envelopes specified. The Committee may not consider a proposal from a person unknown to it unless accompanied by satisfactory evidence that he is a manufacturer of or dealer in the description of paper or envelopes proposed to be furnished.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1244.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 7 (Jan. 12, 1895, ch. 23, § 5, 28 Stat. 602; June 16, 1938, ch. 477, § 3, 52 Stat. 761).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 515, 1121 of this title.

§ 512. Approval of paper contracts; time for performance; bonds

A contract for furnishing paper is not valid until approved by the Joint Committee on Printing. The award of a contract for furnishing paper shall designate a reasonable time for its performance. The contractor shall give bond in an amount fixed and approved by the Committee.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1244.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 8 (Jan. 12, 1895, ch. 23, § 6, 28 Stat. 602; Mar. 3, 1917, ch. 163, § 6, 39 Stat. 1121).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 515, 1121 of this title.

§ 513. Comparison of paper and envelopes with standard quality

The Public Printer shall compare every lot of paper and envelopes delivered by a contractor with the standard of quality fixed upon by the Joint Committee on Printing, and may not accept paper or envelopes which do not conform to it in every particular. A lot of delivered paper or envelopes which does not conform to the standard of quality may be accepted by the Committee at a discount that in its opinion is sufficient to protect the interests of the Government.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1245.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 9 (Jan. 12, 1895, ch. 23, § 7, 28 Stat. 602; June 20, 1936, ch. 630, title VIII, § 13, 49 Stat. 1553).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 515, 1121 of this title.

§ 514. Determination of quality of paper

The Joint Committee on Printing shall determine differences of opinion between the Public Printer and a contractor for paper respecting the paper's quality; and the decision of the Committee is final as to the United States.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1245.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 10 (Jan. 12, 1895, ch. 23, § 8, 28 Stat. 602; Mar. 3, 1917, ch. 163, § 6, 39 Stat. 1121).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 515, 1121 of this title.

§ 515. Default of contractor; new contracts and purchase in open market

If a contractor fails to comply with his contract, the Public Printer shall report the default to the Joint Committee on Printing, and under its direction, enter into a new contract with the lowest, best, and most responsible bidder for the interest of the Government among those whose proposals were rejected at the last opening of bids, or he shall advertise for new proposals, under the regulations provided by sections 509–517 of this title. During the interval that may thus occur he may, under the direction of the Joint Committee on Printing, purchase in open market, at the lowest market price, paper necessary for the public printing.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1245.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 11 (Jan. 12, 1895, ch. 23, § 9, 28 Stat. 602; Mar. 3, 1917, ch. 163, § 6, 39 Stat. 1121).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1121 of this title.

§ 516. Liability of defaulting contractor

Upon failure to furnish paper, a contractor and his sureties shall be responsible for any increase of cost to the Government in procuring a supply of the paper consequent upon his default. The Public Printer shall report every default, with a full statement of all the facts in the case, to the General Counsel for the Department of the Treasury, who shall prosecute the defaulting contractor and his sureties upon their bond in the district court of the United States in the district in which the defaulting contractor resides.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1245.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 12 (Jan. 12, 1895, ch. 23, § 10, 28 Stat. 602; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 1167; May 10, 1934, ch. 277, § 512(b), 48 Stat. 759).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 515, 1121 of this title.

§ 517. Purchase of paper in open market

The Joint Committee on Printing may authorize the Public Printer to purchase paper in open market when they consider the quantity required so small or the want so immediate as not to justify advertisement for proposals.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1245.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 13 (Jan. 12, 1895, ch. 23, § 11, 28 Stat. 602; Mar. 3, 1917, ch. 163, § 6, 39 Stat. 1121).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 515 of this title.

CHAPTER 7—CONGRESSIONAL PRINTING AND BINDING

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FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

§ 701. "Usual number" of documents and reports; distribution of House and Senate documents and reports; binding; reports on private bills; number of copies printed; distribution

(a) The order by either House of Congress to print a document or report shall signify the "usual number" of copies for binding and distribution among those entitled to receive them. A greater number may not be printed unless ordered by either House, or as provided by this section. When a special number of a document or report is ordered printed, the usual number shall also be printed, unless already ordered.

(b) The "usual number" of documents and reports shall be one thousand six hundred and eighty-two copies, which shall be printed at one time and distributed as follows:

Of the House documents and reports, unbound—to the Senate document room, one hundred and fifty copies; to the office of the Secretary of the Senate, ten copies; to the House document room, not to exceed five hundred copies; to the office of the Clerk of the House of Representatives, twenty copies; to the Library of Congress, ten copies, as provided by section 1718 of this title.

Of the Senate documents and reports, unbound—to the Senate document room, two hundred and twenty copies; office of the Secretary of the Senate, ten copies; to the House document room, not to exceed five hundred copies; to the Clerk's office of the House of Representatives, ten copies; to the Library of Congress, ten copies, as provided by section 1718 of this title.

(c) Of the number printed, the Public Printer shall bind a sufficient number of copies for distribution as follows:

Of the House documents and reports, bound—to the Senate library, fifteen copies; to the Library of Congress, not to exceed one hundred and fifty copies, as provided by section 1718 of this title; to the House of Representatives library, fifteen copies; to the Superintendent of Documents, as many copies as are required for distribution to the State libraries and designated depositories.

Of the Senate documents and reports, bound—to the Senate library, fifteen copies; to the Library of Congress, copies as provided by sections 1718 and 1719 of this title; to the House of Representatives library, fifteen copies; to the Superintendent of Documents, as many copies as may be required for distribution to State libraries and designated depositories. In binding documents the Public Printer shall give precedence to those that are to be distributed to libraries and to designated depositories. But a State that may prefer to have its documents in unbound form, may do so by notifying the Superintendent of Documents to that effect prior to the convening of each Congress.

(d) The usual number of reports on private bills, concurrent or simple resolutions, may not be printed. Instead there shall be printed of each Senate report on a private bill, simple or concurrent resolution, in addition to those required to be furnished the Library of Congress, three hundred and forty-five copies, which shall be distributed as follows: to the Senate document room, two hundred and twenty copies; to the Secretary of the Senate, fifteen copies; to the House document room, one hundred copies; to the Superintendent of Documents, ten copies; and of each House report on a private bill, simple or concurrent resolution, in addition to those for the Library of Congress, two hundred and sixty copies, which shall be distributed as follows: to the Senate document room, one hundred and thirty-five copies; to the Secretary of the Senate, fifteen copies; to the House document room, one hundred copies; to the Superintendent of Documents, ten copies.

This section does not prevent the binding of all Senate and House reports in the reserve volumes bound for and delivered to the Senate and House libraries, nor abridge the right of the Vice President, Senators, Representatives, Resident Commissioner, Secretary of the Senate, and Clerk of the House to have bound in half morocco, or material not more expensive, one copy of every public document to which he may be entitled. At least twelve copies of each report on bills for the payment or adjudication of claims against the Government shall be kept on file in the Senate document room.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1246.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 131 (Jan. 12, 1895, ch. 23, § 54, 28 Stat. 608; Mar. 2, 1901, No. 16, §§ 1, 2, 31 Stat. 1464; Jan. 20, 1905, ch. 50, § 1, 33 Stat. 610; Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014; Jan. 15, 1908, No. 3, § 2, 35 Stat. 566; Mar. 4, 1909, ch. 317, 35 Stat. 1067; June 25, 1910, ch. 439, 36 Stat. 868; Mar. 3, 1925, ch. 421, §§ 6, 7, 43 Stat. 1106; June 20, 1936, ch. 630, title IV, § 6, 49 Stat. 1550; Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 2 section 28b.

§ 702. Extra copies of documents and reports

Copies in addition to the "usual number" of documents and reports shall be printed promptly when ready for publication, and may be bound in paper or cloth as the Joint Committee on Printing directs.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1247.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed., §§ 132, 134 (Jan. 12, 1895, ch. 23, §§ 2, 73, 28 Stat. 601, 612, Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1013).

§ 703. Printing extra copies

Orders for printing copies in addition to the "usual number", otherwise than provided for by this section, shall be by simple, concurrent, or joint resolution. Either House may print extra copies to the amount of $1,200 by simple resolution; if the cost exceeds that sum, the printing shall be ordered by concurrent resolution, unless the resolution is self-appropriating, when it shall be by joint resolution. Resolutions, when presented to either House, shall be referred to the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate, who, in making their report, shall give the probable cost of the proposed printing upon the estimate of the Public Printer; and extra copies may not be printed before the committee has reported. The printing of additional copies may be performed upon orders of the Joint Committee on Printing within a limit of $700 in cost in any one instance.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1247.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 133 (Jan. 12, 1895, ch. 23, § 2, 28 Stat. 601; Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1013; Apr. 19, 1949, ch. 72, 63 Stat. 48).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 726 of this title.

§ 704. Reprinting bills, laws, and reports from committees not exceeding fifty pages

When the supply is exhausted, the Secretary of the Senate and the Clerk of the House of Representatives may order the reprinting of not more than one thousand copies of a pending bill, resolution, or public law, not exceeding fifty pages, or a report from a committee or congressional commission on pending legislation not accompanied by testimony or exhibits or other appendices and not exceeding fifty pages. The Public Printer shall require each requisition for reprinting to cite the specific authority of law for its execution.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1248.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 137 (Jan. 12, 1895, ch. 23, § 2, 28 Stat. 601; Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1012).

§ 705. Duplicate orders to print

The Public Printer shall examine the orders of the Senate and House of Representatives for printing, and in case of duplication shall print under the first order received.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1248.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 135 (Jan. 12, 1895, ch. 23, § 53, 28 Stat. 608).

§ 706. Bills and resolutions: number and distribution

There shall be printed of each Senate and House public bill and joint resolution six hundred and twenty-five copies, which shall be distributed as follows:

to the Senate document room, two hundred and twenty-five copies;

to the office of Secretary of Senate, fifteen copies;

to the House document room, three hundred and eighty-five copies.

There shall be printed of each Senate private bill, when introduced, when reported, and when passed, three hundred copies, which shall be distributed as follows:

to the Senate document room, one hundred and seventy copies;

to the Secretary of the Senate, fifteen copies;

to the House document room, one hundred copies;

to the Superintendent of Documents, ten copies.

There shall be printed of each House private bill, when introduced, when reported, and when passed two hundred and sixty copies, which shall be distributed as follows:

to the Senate document room, one hundred and thirty-five copies;

to the Secretary of the Senate, fifteen copies;

to the House document room, one hundred copies;

to the Superintendent of Documents, ten copies.

Bills and resolutions shall be printed in bill form, and, unless specially ordered by either House shall be printed only when referred to a committee, when favorably reported back, and after their passage by either House.

Of concurrent and simple resolutions, when reported, and after their passage by either House, only two hundred and sixty copies shall be printed, except by special order, and shall be distributed as follows:

to the Senate document room, one hundred and thirty-five copies;

to the Secretary of the Senate, fifteen copies;

to the House document room, one hundred copies;

to the Superintendent of Documents, ten copies.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1248.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 189 (Jan. 12, 1895, ch. 23, § 55, 28 Stat. 609; Jan. 20, 1905, ch. 50, § 2, 22 Stat. 611).

§ 707. Bills and resolutions: style and form

Subject to sections 205 and 206 of Title 1, the Joint Committee on Printing may authorize the printing of a bill or resolution, with index and ancillaries, in the style and form the Joint Committee on Printing considers most suitable in the interest of economy and efficiency, and to so continue until final enactment in both Houses of Congress. The committee may also curtail the number of copies of bills or resolutions, including the slip form of a public Act or public resolution.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1248.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 189a (June 13, 1934, ch. 483, § 3, 48 Stat. 948).

§ 708. Bills and resolutions: binding sets for Congress

The Public Printer shall bind four sets of Senate and House of Representatives bills, joint and concurrent resolutions of each Congress, two for the Senate and two for the House, to be furnished him from the files of the Senate and House document room, the volumes when bound to be kept there for reference.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1249.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 190 (Jan. 12, 1895, ch. 23, § 82, 28 Stat. 622).

§ 709. Public and private laws, postal conventions, and treaties

The Public Printer shall print in slip form copies of public and private laws, postal conventions, and treaties, to be charged to the congressional allotment for printing and binding. The Joint Committee on Printing shall control the number and distribution of copies.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1249.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 191 (Jan. 12, 1895, ch. 23, § 56, 28 Stat. 609; July 10, 1952, ch. 632, § 7, 66 Stat. 541).

CROSS REFERENCES

Distribution of Government publications to the Library of Congress, see section 1718 of this title.

Postal conventions, number of copies to be printed, see section 712 of this title.

Private bills, number and distribution, see section 706 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 711, 712 of this title.

§ 710. Copies of Acts furnished to Public Printer

The Administrator of General Services shall furnish to the Public Printer a copy of every Act and joint resolution, as soon as possible after its approval by the President, or after it has become a law under the Constitution without his approval.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1249.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 191a (R.S. § 210; June 20, 1874, ch. 328, 18 Stat. 88; 1950 Reorg. Plan

No. 20, § 1, eff. May 24, 1950; 15 F.R. 3178, 64 Stat. 1272).

§ 711. Printing Acts, joint resolutions, and treaties

The Public Printer, on receiving from the Administrator of General Services a copy of an Act or joint resolution, or from the Secretary of State, a copy of a treaty, shall print an accurate copy and transmit it in duplicate to the Administrator of General Services or to the Secretary of State, as the case may be, for revision. On the return of one of the revised duplicates, he shall make the marked corrections and print the number specified by section 709 of this title.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1249.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 192 (R.S. § 3805; Jan. 12, 1895, ch. 23, § 56, 28 Stat. 609; 1950 Reorg. Plan No. 20, § 1, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272).

§ 712. Printing of postal conventions

The Public Printer, on receiving from the Postmaster General a copy of a postal convention between the Postmaster General, on the part of the United States, and an equivalent officer of a foreign government, shall print an accurate copy and transmit it in duplicate to the Postmaster General. On the return of one of the revised duplicates, he shall make the marked corrections and print the number specified by section 709 of this title.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1249.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 193 (R.S. § 3806; June 20, 1874, ch. 328, § 1, 18 Stat. 88; Jan. 12, 1895, ch. 23, § 56, 28 Stat. 609).

§ 713. Journals of Houses of Congress

There shall be printed of the Journals of the Senate and House of Representatives eight hundred and twenty-two copies, which shall be distributed as follows:

to the Senate document room, ninety copies for distribution to Senators, and twenty-five additional copies;

to the Senate library, ten copies;

to the House document room, three hundred and sixty copies for distribution to Members, and twenty-five additional copies;

to the Department of State, four copies;

to the Superintendent of Documents, one hundred and forty-four copies to be distributed to three libraries in each of the States to be designated by the Superintendent of Documents;

to the Court of Claims, two copies; and

to the Library of the House of Representatives, ten copies.

The remaining number of the Journals of the Senate and House of Representatives, consisting of twenty-five copies, shall be furnished to the Secretary of the Senate and the Clerk of the House of Representatives, respectively, as the necessities of their respective offices require, as rapidly as signatures are completed for distribution.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1249.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 147 (Jan. 12, 1895, ch. 23, § 57, 28 Stat. 609; Mar. 2, 1901, No. 16, §§ 1, 2, 31 Stat. 1464).

§ 714. Printing documents for Congress in two or more editions; printing of full number and allotment of full quota

The Joint Committee on Printing shall establish rules to be observed by the Public Printer, by which public documents and reports printed for Congress, or either House, may be printed in two or more editions, to meet the public requirements. The aggregate of the editions may not exceed the number of copies otherwise authorized. This section does not prevent the printing of the full number of a document or report, or the allotment of the full quota to Senators and Representatives, as otherwise authorized, when a legitimate demand for the full complement is known to exist.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1250.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 136 (Mar. 30, 1906, No. 14, 34 Stat. 826).

§ 715. Senate and House documents and reports for Department of State

The Public Printer shall print, in addition to the usual number, and furnish the Department of State twenty copies of each Senate and House of Representatives document and report.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1250.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 138 (Feb. 7, 1896, No. 14, 29 Stat. 463).

§ 716. Printing of documents not provided for by law

Either House may order the printing of a document not already provided for by law, when accompanied by an estimate from the Public Printer as to the probable cost. An executive department, bureau, board, or independent office of the Government submitting reports or documents in response to inquiries from Congress shall include an estimate of the probable cost of printing to the usual number. This section does not apply to reports or documents not exceeding fifty pages.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1250.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 140 (Jan. 12, 1895, ch. 23, § 2, 28 Stat. 601; Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1013).

§ 717. Appropriation chargeable for printing of document or report by order of Congress

The cost of the printing of a document or report printed by order of Congress which, under section 1107 of this title, cannot be properly charged to another appropriation or allotment of appropriation already made, upon order of the Joint Committee on Printing, shall be charged to the allotment of appropriation for printing and binding for Congress.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1250.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 144 (Jan. 12, 1895, ch. 23, § 2, 28 Stat. 601; Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1013).

§ 718. Lapse of authority to print

The authority to print a document or report, or a publication authorized by law to be printed, for distribution by Congress, shall lapse when the whole number of copies has not been ordered within two years from the date of the original order, except orders for subsequent editions, approved by the Joint Committee on Printing, in which case the whole number may not exceed that originally authorized by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1250.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 141 (Mar. 1, 1907, ch. 2284, § 5, 34 Stat. 1014).

§ 719. Classification and numbering of publications ordered printed by Congress; designation of publications of departments; printing of committee hearings

Publications ordered printed by Congress, or either House, shall be in four series, namely:

one series of reports made by the committees of the Senate, to be known as Senate reports;

one series of reports made by the committees of the House of Representatives, to be known as House reports;

one series of documents other than reports of committees, the orders for printing which originate in the Senate, to be known as Senate documents; and

one series of documents other than committee reports, the orders for printing which originate in the House of Representatives, to be known as House documents.

The publications in each series shall be consecutively numbered, the numbers in each series continuing in unbroken sequence throughout the entire term of a Congress, but these provisions do not apply to the documents printed for the use of the Senate in executive session. Of the "usual number", the copies which are intended for distribution to State libraries and other designated depositories of annual or serial publications originating in or prepared by an executive department, bureau, office, commission, or board may not be numbered in the document or report series of either House of Congress, but shall be designated by title and bound as provided by section 738 of this title; and the departmental edition, if any, shall be printed concurrently with the "usual number." Hearings of committees may be printed as congressional documents only when specifically ordered by Congress or either House.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1250.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 142 (Jan. 15, 1908, No. 3, § 1, 35 Stat. 565).

§ 720. Senate and House Manuals

Each House may order printed as many copies as it desires, of the Senate Manual and of the Rules and Manual of the House of Representatives, even though the cost exceed $500.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1251.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 148 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 617).

§ 721. Congressional Directory

There shall be prepared under the direction of the Joint Committee on Printing a Congressional Directory, of which there shall be three editions during each first session and two editions during each second regular session of Congress. The first edition shall be distributed to Senators, Representatives, the principal officers of Congress, and heads of departments on the first day of the session, and shall be ready for distribution to others within one week thereafter. The Joint Committee shall control the number and distribution of the directory. Copies delivered to Senators and Representatives for distribution shall be bound in cloth.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1251.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 149 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 617; July 1, 1902, ch. 1351, 32 Stat. 583).

§ 722. Congressional Directory: sale

The Public Printer, under the direction of the Joint Committee on Printing, may print the current Congressional Directory for sale at a price sufficient to reimburse the expense of printing. The money derived from sales shall be paid into the Treasury and accounted for in his annual report to Congress, and sales may not be made on credit.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1251.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 150 (Jan. 12, 1895 ch. 23, § 40, 28 Stat. 607).

§ 723. Memorial addresses: preparation; distribution

After the final adjournment of each session of Congress, there shall be compiled, prepared, printed with illustrations, and bound in cloth in one volume, in the style, form, and manner directed by the Joint Committee on Printing, without extra compensation to any employee, the legislative proceedings of Congress and the exercises at the general memorial services held in the House of Representatives during each session relative to the death of a Member of Congress, together with all relevant memorial addresses and eulogies published in the Congressional Records during the same session of Congress, and any other matter the Joint Committee considers relevant; and there shall be printed as many copies as needed to supply the total quantity provided for by this section, of which fifty copies, bound in full morocco, with gilt edges, suitably lettered as may be requested, shall be delivered to the family of the deceased, and the remaining copies shall be distributed as follows:

of all eulogies on deceased Members of Congress to the Vice President and each Senator,

Representative, and Resident Commissioner in Congress, one copy;

of the eulogies on deceased Senators there shall be furnished two hundred and fifty copies for each Senator of the State represented by the deceased and twenty copies for each Representative from that State;

of the eulogies on a deceased Representative and Resident Commissioner two hundred and fifty copies for his successor in office; twenty copies for each of the other Representatives, or Resident Commissioner of the State, or insular possession represented by the deceased; and twenty copies for each Senator from that State.

The "usual number" of memorial addresses may not be printed.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1251.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 151 (Aug. 23, 1894, ch. 307, 28 Stat. 447; Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616; June 20, 1936, ch. 630, title I, § 1, 49 Stat. 1545).

RESTRICTION ON NUMBER OF BOUND EULOGIES

Pub. L. 94–59, title VIII, § 801, July 25, 1975, 89 Stat. 296, provided in part that: "Hereafter, appropriations for authorized printing and binding for Congress shall not be available under the authority of section 723 of title 44 of the United States Code [this section] for the printing, publication, and distribution of more than fifty bound eulogies to be delivered to the family of the deceased, and in the case of a deceased Senator or deceased Representative (including Delegates to Congress and the Resident Commissioner from Puerto Rico), there shall be furnished to his successor in office two hundred and fifty copies."

§ 724. Memorial addresses: illustrations

The illustrations to accompany bound copies of memorial addresses delivered in Congress shall be made at the Bureau of Engraving and Printing and paid for out of the appropriation for that bureau, or, in the discretion of the Joint Committee on Printing, shall be obtained elsewhere by the Public Printer and charged to the allotment for printing and binding for Congress.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1252.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 152 (Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1431).

§ 725. Statement of appropriations; "usual number"

Of the statements of appropriations required to be prepared by section 105 of Title 2, there shall be printed, after the close of each regular session of Congress, the usual number of copies.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1252.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 153 (Mar. 2, 1895, ch. 189, § 1, 28 Stat. 958).

§ 726. Printing for committees of Congress

A committee of Congress may not procure the printing of more than one thousand copies of a hearing, or other document germane thereto, for its use except by simple, concurrent, or joint resolution, as provided by section 703 of this title.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1252.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 154 (Jan. 12, 1895, ch. 23, § 2, 28 Stat. 601; Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1012).

§ 727. Committee reports: indexing and binding

The Secretary of the Senate and the Clerk of the House of Representatives shall procure and file for the use of their respective House copies of all reports made by committees, and at the close of each session of Congress shall have the reports indexed and bound, one copy to be deposited in the library of each House and one copy in the committee from which the report emanates.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1252.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 155 (Jan. 12, 1895, ch. 23, § 83, 28 Stat. 622).

§ 728. United States Statutes at Large: distribution

The Public Printer, after the final adjournment of each regular session of Congress, shall print and bind copies of the United States Statutes at Large, to be charged to the congressional allotment for printing and binding. The Joint Committee on Printing shall control the number and distribution of the copies.

The Public Printer shall print and, after the end of each calendar year, bind and deliver to the Superintendent of Documents a number of copies of the United States Treaties and Other International Agreements not exceeding the number of copies of the United States Statutes at Large required for distribution in the manner provided by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1252.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 196a (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 615; June 20, 1936, ch. 630, title VI, § 9, 49 Stat. 1551; June 16, 1938, ch. 477, § 2, 52 Stat. 761; Sept. 23, 1950, ch. 1001, § 4, 64 Stat. 980; July 10, 1952, ch. 632, § 2, 66 Stat. 540).

WRITTEN REQUESTS FOR COPIES OF UNITED STATES STATUTES AT LARGE

Pub. L. 94–440, title X, § 1000, Oct. 1, 1976, 90 Stat. 1459, provided in part that: "Hereafter, notwithstanding any other provisions of law, appropriations for the automatic distribution to Senators and Representatives (including Delegates to Congress and the Resident Commissioner from Puerto Rico) of copies of the United States Statutes at Large shall not be available with respect to any Senator or Representative unless such Senator or Representative specifically, in writing, requests that he receive copies of such document."

§ 729. United States Statutes at Large: references in margins

The Administrator of General Services shall include in the references in margins of the United States Statutes at Large the number of the bill or joint resolution (designating S. for Senate bill, H.R. for House bill, S.J. Res. for Senate joint resolution and H.J. Res. for House joint resolution, as the case may be) under which each Act was approved and became a law, the reference in the margins to be placed within brackets immediately under the date of

the approval of the Act at the beginning of each Act as printed beginning with Volume 32 of the United States Statutes at Large.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1252.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 197 (Apr. 12, 1904, No. 20, 33 Stat. 589; 1950 Reorg. Plan No. 20, § 1, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272).

§ 730. Distribution of documents to Members of Congress

When, in the division among Senators, and Representatives, of documents printed for the use of Congress there is an apportionment to each or either House in round numbers, the Public Printer may not deliver the full number so accredited at the Senate Service Department and House of Representatives Publications Distribution Service, but only the largest multiple of the number constituting the full membership of that House, including the Secretary and Sergeant at Arms of the Senate and Clerk, Sergeant at Arms, and Doorkeeper of the House, which is contained in the round numbers thus accredited to that House, so that the number delivered divides evenly and without remainder among the Members of the House to which they are delivered; and the remainder of the documents thus resulting shall be turned over to the Superintendent of Documents, to be distributed by him, first, to public and school libraries for the purpose of completing broken sets; second, to public and school libraries that have not been supplied with any portions of the sets, and, lastly, by sale to other persons; the libraries to be named to him by Senators and Representatives; and in this distribution the Superintendent of Documents, as far as practicable, shall make an equal allowance to each Senator and Representative.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1253.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 157 (Jan. 12, 1895, ch. 23, § 68, 28 Stat. 612; Apr. 6, 1904, ch. 862, 33 Stat. 159; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 397).

"House of Representatives Publications Distribution Service" is substituted for "House Folding Room" because of the change of name under authority of Public Law 88–652.

§ 731. Allotments of public documents printed after expiration of terms of Members of Congress; rights of retiring Members to documents

The Congressional allotment of public documents, other than the Congressional Record, printed after the expiration of the term of office of the Vice President of the United States, or Senator, Representative, or Resident Commissioner, shall be delivered to his successor in office.

Unless the Vice President of the United States, a Senator, Representative, or Resident Commissioner, having public documents to his credit at the expiration of his term of office takes them prior to the 30th day of June next following the date of expiration, he shall forfeit them to his successor in office.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1253.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 158 (Jan. 12, 1895, ch. 23, § 72, 28 Stat. 612; Mar. 18, 1924, ch. 60, 43 Stat. 24; June 18, 1934, ch. 606, § 1, 48 Stat. 1017).

Words "or her" deleted by authority of Title 1, sec. 1—"words importing masculine gender may be applied to females".

§ 732. Time for distribution of documents by Members of Congress extended

Reelected Members may distribute public documents to their credit, or the credit of their respective districts in the Interior or other Departments and bureaus, and in the Government Printing Office, during their successive terms and until their right to frank documents ends.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1253.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 159 (June 4, 1897, ch. 2, § 1, 30 Stat. 62).

§ 733. Documents and reports ordered by Members of Congress; franks and envelopes for Members of Congress

The Public Printer on order of a Member of Congress, on prepayment of the cost, may reprint documents and reports of committees together with the evidence papers submitted, or any part ordered printed by the Congress.

He may also furnish without cost to Members and the Resident Commissioner from Puerto Rico, blank franks printed on sheets and perforated, or singly at their option, for public documents. Franks shall contain in the upper left-hand corner the following words: "Public document. United States Senate" or "House of Representatives U.S." and in the upper right-hand corner the letters "U.S.S." or "M. C." But he may not print any other words except where it is desirable to affix the official title of a document. Other words printed on franks shall be at the personal expense of the Member or Resident Commissioner ordering them.

At the request of a Member of Congress or Resident Commissioner the Public Printer may print upon franks or envelopes used for mailing public documents the facsimile signature of the Member or Resident Commissioner and a special request for return if not called for, and the name of the State or Commonwealth and county and city. The Member or Resident Commissioner shall deposit with his order the extra expense involved in printing these additional words.

The Public Printer may also, at the request of a Member or Resident Commissioner, print on envelopes authorized to be furnished, the name of the Member or Resident Commissioner, and State or Commonwealth, the date, and the topic or subject matter, not exceeding twelve words.

The Public Printer shall deposit moneys accruing under this section in the Treasury of the United States to the credit of the appropriation made for the working capital of the Government Printing Office for the year in which the work is done. He shall account for them in his annual report to Congress.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1253; Pub. L. 93–191, § 8(a), Dec. 18, 1973, 87 Stat. 745;

Pub. L. 93-255, § 2(b), Mar. 27, 1974, 88 Stat. 52.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 162 (Jan. 12, 1895, ch. 23, § 37, 28 Stat. 606; Mar. 2, 1895, ch. 189, § 1, 28 Stat. 961; Jan. 30, 1904, ch. 39, 33 Stat. 9; Mar. 4, 1925, ch. 549, § 1, 43 Stat. 1300).

Section 893 of Title 48, U.S. Code, provides that: "The Resident Commissioner of Puerto Rico shall . . . be allowed the franking privilege granted Members of Congress."

By inference he should be included in section 733, since the franking privilege should include the means to use it.

Changes have been made in section 733 to include the Resident Commissioner as to printing of franks.

AMENDMENTS

1974—Pub. L. 93-255 struck out "Postage paid by Congress." following "Public Document."

1973—Pub. L. 93-191 substituted in second par. "Public document. Postage paid by Congress." for "Public document. Free."

EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-191 effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as an Effective Date of 1973 Amendment note under section 3210 of Title 39, Postal Service.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 2 section 31b-4; title 39 sections 3201, 3216.

§ 734. Stationery and blank books for Congress

Upon requisition of the Secretary of the Senate and the Clerk of the House of Representatives, respectively, the Public Printer shall furnish stationery, blank books, tables, forms, and other necessary papers preparatory to congressional legislation, required for the official use of the Senate and the House of Representatives, or their committees and officers. This does not prevent the purchase by the officers of the Senate and House of Representatives of stationery and blank books necessary for sale to Senators and Members in the stationery rooms of the two Houses as provided by law.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1254.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 146 (Jan. 12, 1895, ch. 23, § 2, 28 Stat. 601; Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1013).

§ 735. Binding for Members of Congress

Each Member of Congress is entitled to the binding in half morocco, or material not more expensive, of one copy of each public document to which he is entitled, an account of which shall be kept by the Secretary of the Senate and Clerk of the House of Representatives, respectively.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1254.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 160 (Jan. 12, 1895, ch. 23, § 2, 28 Stat. 601; Mar. 1, 1907, ch. 2284, § 1, 34 Stat. 1013).

WRITTEN REQUESTS FOR BOUND COPIES OF DOCUMENTS

Pub. L. 94-59, title VIII, § 801, July 25, 1975, 89 Stat. 296, provided in part that: "Hereafter, notwithstanding any other provisions of law appropriations for the binding of copies of public documents by Committees for distribution to Senators and Representatives (including Delegates to Congress and the Resident Commissioner from Puerto Rico) shall not be available for a Senator or Representative unless such Senator or Representative specifically, in writing, requests that he receive bound copies of any such documents."

§ 736. Binding at expense of Members of Congress

The Public Printer may bind at the Government Printing Office books, maps, charts, or documents published by authority of Congress, upon application of a Member of Congress, and payment of the actual cost of binding.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1254.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 171 (Dec. 10, 1877, ch. 6, 20 Stat. 5).

§ 737. Binding for Senate library

The Secretary of the Senate may make requisition upon the Public Printer for the binding for the Senate library of books he considers necessary, at a cost not to exceed $200 per year.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1254.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 168 (Mar. 2, 1895, ch. 189, § 1, 28 Stat. 958).

§ 738. Binding of publications for distribution to libraries

The Public Printer shall supply the Superintendent of Documents with sufficient copies of publications distributed in unbound form, to be bound and distributed to the State libraries and other designated depositories for their permanent files. Every publication of sufficient size on any one subject shall be bound separately and receive the title suggested by the subject of the volume, and the others shall be distributed in unbound form as soon as printed. The library edition, as well as all other bound sets of congressional numbered documents and reports, shall be arranged in volumes and bound in the manner directed by the Joint Committee on Printing.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1254.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 143 (Jan. 15, 1908, No. 3, § 2, 35 Stat. 566).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 719 of this title.

§ 739. Senate and House document rooms; superintendents

There shall be one document room of the Senate and one of the House of Representatives, to be designated, respectively, the "Senate and House document room." Each shall be in charge of a superintendent, who shall be appointed by the Secretary of the Senate and the Doorkeeper of the House, respectively, together with the necessary assistants. The Senate document room shall be under the jurisdiction of the Secretary of the Senate.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1254.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 165 (Jan. 12, 1895, ch. 23, § 60, 28 Stat. 610; Mar. 3, 1901, ch. 830, § 1, 31 Stat. 962).

§ 740. Senate Service Department and House Publications Distribution Service; superintendents

There shall be a Senate Service Department and a House of Representatives Publications Distribution Service in the charge of superintendents, appointed respectively by the Sergeant at Arms of the Senate and Doorkeeper of the House, together with the necessary assistants. Reports or documents to be distributed for the Senators and Representatives shall be folded and distributed from the Senate Service Department and House of Representatives Publications Distribution Service, unless otherwise ordered, and the respective superintendent shall notify each Senator and Representative in writing once every sixty days of the number and character of publications on hand and assigned to him for use and distribution.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1255.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 166 (Jan. 12, 1895, ch. 23, § 71, 28 Stat. 612; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 397).

"House of Representatives Publications Distribution Service" is substituted for "House Folding Room" because of the change of name under authority of Public Law 88–652.

§ 741. Disposition of documents stored at Capitol

The Secretary and Sergeant at Arms of the Senate and the Clerk and Doorkeeper of the House of Representatives, at the convening in regular session of each successive Congress shall cause an invoice to be made of public documents stored in and about the Capitol, other than those belonging to the quota of Members of Congress, to the Library of Congress and the Senate and House libraries and document rooms. The superintendents of the Senate Service Department and House of Representatives Publications Distribution Service shall put the documents to the credit of Senators and Representatives in quantities equal in the number of volumes and as nearly as possible in value, to each Member of Congress, and the documents shall be distributed upon the orders of Senators and Representatives, each of whom shall be supplied by the superintendents of the Senate Service Department and House of Representatives Publications Distribution Service with a list of the number and character of the publications thus put to his credit, but before apportionment is made copies of any of these documents desired for the use of a committee of either House shall be delivered to the chairman of the committee.

Four copies of leather-bound documents shall be reserved and carefully stored, to be used in supplying deficiencies in the Senate and House libraries caused by wear or loss.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1255.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 167 (Jan. 12, 1895, ch. 23, § 63, 28 Stat. 611; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 397).

CODIFICATION

"Senate Service Department and House Folding Room" was substituted for "Senate and House folding rooms," and "superintendents of the Senate Service Department and House Folding Room" was substituted for "superintendents of the folding rooms" in view of act July 2, 1954, which redesignated the Senate Folding Room as the Senate Service Department.

CHANGE OF NAME

Act July 2, 1954, provided in part that "hereafter" the Senate Folding Room should be known as the Senate Service Department.

"House of Representatives Publications Distribution Service" is substituted for "House Folding Room" because of the change of name under authority of Public Law 88–652.

CHAPTER 9—CONGRESSIONAL RECORD

Sec.
901. Congressional Record: arrangement, style, contents, and indexes.
902. Congressional Record: indexes.
903. Congressional Record: daily and permanent forms.
904. Congressional Record: maps; diagrams; illustrations.
905. Congressional Record: additional insertions.
906. Congressional Record: gratuitous copies; delivery.
907. Congressional Record: extracts for Members of Congress; mailing envelopes.
908. Congressional Record: payment for printing extracts or other documents.
909. Congressional Record: exchange for Parliamentary Hansard.
910. Congressional Record: subscriptions; sale of current, individual numbers, and bound sets; postage rate.

AMENDMENTS

1974—Pub. L. 93–314, 1(c), June 8, 1974, 88 Stat. 239, eliminated "; subscription" from item 906, and substituted "subscriptions; sale of current, individual numbers and bound sets; postage rate" for "sale of current numbers and bound sets" in item 910.

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94–575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

§ 901. Congressional Record: arrangement, style, contents, and indexes

The Joint Committee on Printing shall control the arrangement and style of the Congressional Record, and while providing that it shall be substantially a verbatim report of proceedings, shall take all needed action for the reduction of unnecessary bulk. It shall provide for the publication of an index of the Congressional Record semimonthly during and at the close of sessions of Congress.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1255.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 181 (Jan. 12, 1895, ch. 23, § 13, 28 Stat. 603).

§ 902. Congressional Record: indexes

The Joint Committee on Printing shall designate to the Public Printer competent persons to prepare the semimonthly and the session index to the Congressional Record and shall fix the compensation to be paid by the Public Printer for that work, and direct the form and manner of its publication and distribution.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1256.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 182 (Jan. 12, 1895, ch. 23, § 14, 28 Stat. 603; June 20, 1936, ch. 630, title II, § 2, 49 Stat. 1546).

§ 903. Congressional Record: daily and permanent forms

The public proceedings of each House of Congress as reported by the Official Reporters, shall be printed in the Congressional Record, which shall be issued in daily form during each session and shall be revised, printed, and bound promptly, as directed by the Joint Committee on Printing, in permanent form, for distribution during and after the close of each session of Congress. The daily and the permanent Record shall bear the same date, which shall be that of the actual day's proceedings reported. The "usual number" of the Congressional Record may not be printed.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1256.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 182a (Jan. 12, 1895, ch. 23, § 14, as added June 20, 1936, ch. 630, title II, § 2, 49 Stat. 1546).

§ 904. Congressional Record: maps; diagrams; illustrations

Maps, diagrams, or illustrations may not be inserted in the Record without the approval of the Joint Committee on Printing.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1256.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 182b (Jan. 12, 1895, ch. 23, § 14, as added June 20, 1936, ch. 630, title II, § 2, 49 Stat. 1546).

§ 905. Congressional Record: additional insertions

The Joint Committee on Printing shall provide for printing in the daily Record the legislative program for the day together with a list of congressional committee meetings and hearings, and the place of meeting and subject matter. It shall cause a brief résumé of congressional activities for the previous day to be incorporated in the Record, together with an index of its contents prepared under the supervision of the Secretary of the Senate and the Clerk of the House of Representatives, respectively.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1256.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 182c (Aug. 2, 1946, ch. 753, title II, § 221, 60 Stat. 837).

§ 906. Congressional Record: gratuitous copies; delivery; subscriptions

The Public Printer shall furnish the Congressional Record only as follows:

of the bound edition—

to the Senate Service Department five copies for the Vice President and each Senator;

to the Secretary and Sergeant at Arms of the Senate, each, two copies;

to the Joint Committee on Printing not to exceed one hundred copies;

to the House of Representatives Publications Distribution Service, three copies for each Representative and Resident Commissioner in Congress; and

to the Clerk, Sergeant at Arms, and Doorkeeper of the House of Representatives, each, two copies;

of the daily edition—

to the Vice President and each Senator, one hundred copies;

to the Secretary and Sergeant at Arms of the Senate, each, twenty-five copies;

to the Secretary, for official use, not to exceed thirty-five copies; and

to the Sergeant at Arms for use on the floor of the Senate, not to exceed fifty copies;

to each Representative, and Resident Commissioner in Congress, sixty-eight copies;

to the Clerk, Sergeant at Arms, and Doorkeeper of the House of Representatives, each, twenty-five copies;

to the Clerk, for official use, not to exceed fifty copies, and to the Doorkeeper for use on the floor of the House of Representatives, not to exceed seventy-five copies;

to the Vice President and each Senator, Representative, and Resident Commissioner in Congress (and not transferable) three copies of which one shall be delivered at his residence, one at his office, and one at the Capitol.

In addition to the foregoing the Congressional Record shall also be furnished as follows:

In unstitched form, and held in reserve by the Public Printer, as many copies of the daily Record as may be required to supply a semimonthly edition, bound in paper cover together with each semimonthly index when it is issued, and then be delivered promptly as follows:

to each committee and commission of Congress, one daily and one semimonthly copy;

to each joint committee and joint commission in Congress, as may be designated by the Joint Committee on Printing, two copies of the daily, one semimonthly copy, and one bound copy;

to the Secretary and the Sergeant at Arms of the Senate, for office use, each, six semimonthly copies;

to the Clerk, Sergeant at Arms, and Doorkeeper of the House, for office use, each, six semimonthly copies;

to the Joint Committee on Printing, ten semimonthly copies;

to the Vice President and each Senator, Representative, and Resident Commissioner in Congress, one semimonthly copy;

to the President of the United States, for the use of the Executive Office, ten copies of

the daily, two semimonthly copies, and one bound copy;

to the Chief Justice of the United States and each of the Associate Justices of the Supreme Court of the United States, one copy of the daily;

to the offices of the marshal and clerk of the Supreme Court of the United States, each, two copies of the daily and one semimonthly copy;

to each United States circuit and district judge, and to the chief judge and each associate judge of the United States Court of Claims, the United States Court of Customs and Patent Appeals, the United States Customs Court, the Tax Court of the United States, and the United States Court of Military Appeals, upon request to a member of Congress and notification by the Member to the Public Printer, one copy of the daily, in addition to those authorized to be furnished to Members of Congress under the preceding provisions of this section;

to the offices of the Vice President and the Speaker of the House of Representatives, each, six copies of the daily and one semimonthly copy;

to the Sergeant at Arms, the Chaplain, the Postmaster, the superintendent and the foreman of the Senate Service Department and of the House of Representatives Publications Distribution Service, respectively; to the Secretaries to the Majority and the Minority of the Senate, and to the Doorkeeper of the House of Representatives, each, one copy of the daily;

to the office of the Parliamentarian of the House of Representatives, six copies of the daily, one semimonthly copy, and two bound copies;

to the offices of the Official Reporters of Debates of the Senate and House of Representatives, respectively, each, fifteen copies of the daily, one semimonthly copy, and three bound copies;

to the office of the stenographers to committees of the House of Representatives, four copies of the daily and one semimonthly copy;

to the office of the Congressional Record Index, ten copies of the daily and two semimonthly copies;

to the offices of the superintendent of the Senate and House document rooms, each, three copies of the daily, one semimonthly copy, and one bound copy;

to the offices of the superintendents of the Senate and House press galleries, each, two copies of the daily, one semimonthly copy, and one bound copy;

to the offices of the Legislative Counsel of the Senate and House of Representatives, respectively, and the Architect of the Capitol, each, three copies of the daily, one semimonthly copy, and one bound copy;

to the Library of Congress for official use in Washington, District of Columbia, and for international exchange, as provided by section 1718 and 1719 of this title, not to exceed one hundred and forty-five copies of the daily, five semimonthly copies, and one hundred and fifty bound copies;

to the library of the Senate, three copies of the daily, two semimonthly copies, and not to exceed fifteen bound copies;

to the library of the House of Representatives, five copies of the daily, two semimonthly copies, and not to exceed twenty-eight bound copies, of which eight copies may be bound in the style and manner approved by the Joint Committee on Printing;

to the library of the Supreme Court of the United States, two copies of the daily, two semi-monthly copies, and not to exceed five bound copies;

to the library of each United States Court of Appeals, each United States District Court, the United States Court of Claims, the United States Court of Customs and Patent Appeals, the United States Customs Court, the Tax Court of the United States, and the United States Court of Military Appeals, upon request to the Public Printer, one copy of the daily, one semimonthly copy, and one bound copy;

to the Public Printer for official use, not to exceed seventy-five copies of the daily, ten semimonthly copies, and two bound copies;

to the Director of the Botanic Garden, two copies of the daily and one semimonthly copy;

to the Archivist of the United States, five copies of the daily, two semimonthly copies, and two bound copies;

to the library of each executive department, independent office, and establishment of the Government in the District of Columbia, except those designated as depository libraries, and to the libraries of the municipal government of the District of Columbia, the Naval Observatory, and the Smithsonian Institution, each, two copies of the daily, one semimonthly copy, and one bound copy;

to the offices of the Governors of Puerto Rico, Guam and the Virgin Islands, each, five copies in both daily and bound form;

to the office of the Governor of the Canal Zone, five copies in both daily and bound form;

to each ex-President and ex-Vice President of the United States, one copy of the daily;

to each former Senator, Representative, and Commissioner from Puerto Rico, upon request to the Public Printer, one copy of the daily;

to the Governor of each State, one copy in both daily and bound form;

to the United States Soldiers' Home and to each of the National Homes for Disabled Volunteer Soldiers, and to each of the State soldiers' homes, one copy of the daily;

to the Superintendent of Documents, as many daily and bound copies as may be required for distribution to depository libraries;

to the Department of State, not to exceed one hundred and fifty copies of the daily, for distribution to each United States embassy and legation abroad, and to the principal consular offices in the discretion of the Secretary of State;

to each foreign legation in Washington whose government extends a like courtesy to our embassies and legations abroad, one copy

of the daily, to be furnished upon requisition of and sent through the Secretary of State;

to each newspaper correspondent whose name appears in the Congressional Directory, and who makes application, for his personal use and that of the papers he represents, one copy of the daily and one copy of the bound, the same to be sent to the office address of the member of the press or elsewhere as he directs; not to exceed four copies in all may be furnished to members of the same press bureau.

Copies of the daily edition, unless otherwise directed by the Joint Committee on Printing, shall be supplied and delivered promptly on the day after the actual day's proceedings as originally published. Each order for the daily Record shall begin with the current issue, if previous issues of the same session are not available. The apportionment specified for daily copies may not be transferred for the bound form and an allotment of daily copies not used by a Member during a session shall lapse when the session ends.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1256; Pub. L. 91–276, June 12, 1970, 84 Stat. 303; Pub. L. 92–373, Aug. 10, 1972, 86 Stat. 528; Pub. L. 93–314, § 1(b), June 8, 1974, 88 Stat. 239.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 183 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 617; June 11, 1896, ch. 420, § 1, 29 Stat. 454; Mar. 19, 1896, No. 31, 29 Stat. 468; Feb. 17, 1897, No. 12, 29 Stat. 700; Mar. 26, 1900, No. 15, 31 Stat. 713; Mar. 2, 1901, No. 16, §§ 1, 2, 31 Stat. 1464; Jan. 30, 1903, ch. 338, 32 Stat. 786; Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014; Mar. 4, 1909, ch. 317, 35 Stat. 1067; Mar. 4, 1909, No. 25, 35 Stat. 1169; Mar. 3, 1925, ch. 421, § 7, 43 Stat. 1106; June 20, 1936, ch. 630, title II, § 3, 49 Stat. 1547; Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352; June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381; Sept. 26, 1950, ch. 1049, § 2(b), 64 Stat. 1038; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 397; Aug. 1, 1956, ch. 852, § 20, 70 Stat. 911; June 25, 1959, Pub. L. 86-70, § 33, 73 Stat. 149; July 12, 1960, Pub. L. 86-624, § 32, 74 Stat. 421; Mar. 21, 1961, Pub. L. 87-2, 75 Stat. 5; July 11, 1961, Pub. L. 87-85, 75 Stat. 202).

"House of Representatives Publications Distribution Service" is substituted for "House Folding Room" because of the change of name under authority of Public Law 88-652.

REFERENCES IN TEXT

Provisions respecting National Homes for Disabled Volunteer Soldiers, referred to in the text, were formerly classified to chapter 3 (section 71 et seq.) of Title 24, Hospitals and Asylums, and were repealed by Pub. L. 85-857, § 14, Sept. 2, 1958, 72 Stat. 1268-1272, and Pub. L. 85-56, title XXII, § 2202, June 17, 1957, 71 Stat. 162, 164, 166.

AMENDMENTS

1974—Pub. L. 93-314 eliminated subscriptions from the section catchline, and deleted last paragraph which authorized the Public Printer to furnish the daily Record to subscribers at a price determined by him to be based upon the cost of printing and distribution, with the price to be payable in advance. See section 910 of this title.

1972—Pub. L. 92-373 provided for the furnishing of one copy of the daily, one semimonthly copy of the Congressional Record to the United States Court of Appeals library and certain other libraries.

1970—Pub. L. 91-276 substituted provision authorizing the Public Printer to furnish the daily Congressional Record to subscribers at a price based upon cost of printing and distribution for prior subscription price of $1.50 per month.

CHANGE OF NAME

The United States Soldiers' Home was renamed the United States Soldiers' and Airmen's Home, effective Sept. 7, 1972. See 37 F.R. 23533, Nov. 4, 1972.

LIMITATION ON COPIES OF BOUND PERMANENT EDITION FOR VICE PRESIDENT AND MEMBERS OF SENATE AND HOUSE OF REPRESENTATIVES

Pub. L. 93-145, § 101, Nov. 1, 1973, 87 Stat. 546, provided in part that: "Hereafter, appropriations for authorized printing and binding for Congress shall not be available under the authority of the Act of October 22, 1968 (44 U.S.C. 906) [this section] for the printing, publication, and distribution of more than one copy of the bound permanent editions of the Congressional Record for the Vice President and each Member of the Senate and House of Representatives."

§ 907. Congressional Record: extracts for Members of Congress; mailing envelopes

The Public Printer may print and deliver, upon the order of a Member of Congress and payment of the cost, extracts from the Congressional Record. The Public Printer may furnish without cost to Members and the Resident Commissioner, envelopes, ready for mailing the Congressional Record or any part of it, or speeches, or reports in it, if such part, speeches, or reports are mailable as franked mail under section 3210 of title 39. Envelopes so furnished shall contain in the upper left-hand corner the following words: "United States Senate" or "House of Representatives, U.S. Part of Congressional Record", and in the upper right-hand corner the letters "U.S.S." or "M.C.", and the Public Printer may, at the request of a Member or Resident Commissioner, print in addition to the foregoing, his name and State or Commonwealth, the date, and the topic or subject matter, not exceeding twelve words. He may not print any other words on envelopes, except at the personal expense of the Member or Resident Commissioner ordering the envelopes, except to affix the official title of a document. The Public Printer shall deposit moneys accruing under this section in the Treasury of the United States to the credit of the appropriation made for the working capital of the Government Printing Office for the year in which the work is done, and accounted for in his annual report to Congress.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1260; Pub. L. 93–191, § 8(b), Dec. 18, 1973, 87 Stat. 745; Pub. L. 93–255, § 2(c), Mar. 27, 1974, 88 Stat. 52.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 185 (Jan. 12, 1895, ch. 23, § 37, 28 Stat. 606; Mar. 2, 1895, ch. 189, § 1, 28 Stat. 961; Jan. 30, 1904, ch. 39, 33 Stat. 9; Mar. 4, 1925, ch. 549, 43 Stat. 1300).

AMENDMENTS

1974—Pub. L. 93-255 struck out "Postage paid by Congress following "Part of Congressional Record."

1973—Pub. L. 93-191 inserted at end of second sentence ", if such part, speeches, or reports are mailable as franked mail under section 3210 of title 39" and substituted in third sentence "Postage paid by Congress" for "Free", respectively.

EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-191 effective Dec. 18, 1973, see section 14, of Pub. L. 93-191, set out as an Effective Date of 1973 Amendment note under section 3210 of Title 39, Postal Service.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 39 sections 3201, 3216.

§ 908. Congressional Record: payment for printing extracts or other documents

If a Member or Resident Commissioner fails to pay the cost of printing extracts from the Congressional Record or other documents ordered by him to be printed, the Public Printer shall certify the amount due to the Sergeant at Arms of the House or the financial clerk of the Senate, as the case may be, who shall deduct from any salary due the delinquent the amount, or as much of it as the salary due may cover, and pay the amount so obtained to the Public Printer, to be applied by him to the satisfaction of the indebtedness.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1260.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 163 (Mar. 4, 1911, ch. 285, § 1, 36 Stat. 1446).

§ 909. Congressional Record: exchange for Parliamentary Hansard

The Librarian of Congress may furnish a copy of the daily and bound Congressional Record to the Undersecretary of State for External Affairs of Canada in exchange for a copy of the Parliamentary Hansard, and the Public Printer shall honor the requisition of the Librarian of Congress for it. The Parliamentary Hansard so received shall be the property of the Department of State.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1260.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 187 (Apr. 10, 1912, No. 14, 37 Stat. 632).

§ 910. Congressional Record: subscriptions; sale of current, individual numbers, and bound sets; postage rate

(a) Under the direction of the Joint Committee, the Public Printer may sell—

(1) subscriptions to the daily Record; and

(2) current, individual numbers, and bound sets of the Congressional Record.

(b) The price of a subscription to the daily Record and of current, individual numbers, and bound sets shall be determined by the Public Printer based upon the cost of printing and distribution. Any such price shall be paid in advance. The money from any such sale shall be paid into the Treasury and accounted for in the Public Printer's annual report to Congress.

(c) The Congressional Record shall be entitled to be mailed at the same rates of postage at which any newspaper or other periodical publication, with a legitimate list of paid subscribers, is entitled to be mailed.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1260; Pub. L. 93-314, § 1(a), June 8, 1974, 88 Stat. 239.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 188 (Jan. 12, 1895, ch. 23, § 40, 28 Stat. 607).

AMENDMENTS

1974—Pub. L. 93-314 included subscriptions and postage rate in section catchline, and inserted provisions in text of section authorizing sale of subscriptions, requiring price for subscriptions to be paid in advance, and directing that the Congressional Record shall be entitled to be mailed at the same rates of postage at which any newspaper or other periodical publication, with a legitimate list of paid subscribers, is entitled to be mailed.

CHAPTER 11—EXECUTIVE AND JUDICIARY PRINTING AND BINDING

Sec.
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1121. Paper and envelopes for Government agencies in the District of Columbia.
1122. Supplies for Government establishments.
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FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

§ 1101. Printing and binding for the President

The Public Printer shall execute such printing and binding for the President as he may order and make requisition for.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 211 (Jan. 12, 1895, ch. 23, § 88, 28 Stat. 622).

CODIFICATION

Section constitutes part of section 88 of act Jan. 12, 1895. Remainder of section is classified to section 1713 of this title.

§ 1102. Printing to be authorized by law and necessary to the public business, not in excess of appropriation, and on special requisition filed with the Public Printer.

(a) A head of an executive department, or of an independent agency or establishment of the Government may not cause to be printed, and the Public Printer may not print, a document or matter unless it is authorized by law and necessary to the public business.

(b) Printing may not be done for an executive department, independent agency or establishment in a fiscal year in excess of the amount of the appropriation.

(c) Printing may not be done without a special requisition signed by the chief of the department, independent agency or establishment and filed with the Public Printer.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§ 213, 219 (Jan. 12, 1895, ch. 23, § 89, 94, 28 Stat. 622).

This section incorporates the first paragraph of former section 213 and the first clause of former section 219. The balance of former section 213 will be found in sections 1116, 1302, 1308, 1309, 1310, 1336 of the revision; that of former section 219 in section 1113 of the revision.

§ 1103. Certificate of necessity; estimate of cost

When a department, the Supreme Court, the Court of Claims, or the Library of Congress requires printing or binding to be done, it shall certify that it is necessary for the public service. The Public Printer shall then furnish an estimate of cost by principal items, after which requisitions may be made upon him for the printing or binding by the head of the department, the Clerk of the Supreme Court, chief judge of the Court of Claims, or the Librarian of Congress, respectively. The Public Printer shall place the cost to the debit of the department in its annual appropriation for printing and binding.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 117 (Jan. 12, 1895, ch. 23, § 93, 28 Stat. 623; June 25, 1948, ch. 646, § 32(a), 62 Stat. 991; May 24, 1949, ch. 139, sec. 127, 63 Stat. 107).

§ 1104. Restrictions on use of illustrations

Appropriations made for printing and binding may not be used for an illustration, engraving, or photograph in a document or report ordered printed by Congress unless the order to print expressly authorizes it, nor in a document or report of an executive department, independent office or establishment of the Government until the head of the executive department or Government establishment certifies in a letter transmitting the report that the illustration, engraving, or photograph is necessary and relates entirely to the transaction of public business.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 118 (Mar. 3, 1905, ch. 1483, § 1, 33 Stat. 1213).

The term "executive department, independent office, or establishment of the Government" is substituted for "executive department or other Government establishment" for uniformity.

§ 1105. Form and style of work for departments

The Public Printer shall determine the form and style in which the printing or binding ordered by a department is executed, and the material and the size of type used, having proper regard to economy, workmanship, and the purposes for which the work is needed.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 216 (Jan. 12, 1895, ch. 23, § 51, 28 Stat. 608).

§ 1106. Inserting "compliments" forbidden

A report, document, or publication distributed by or from an executive department or independent agency or establishment of the Government may not contain a notice that it is sent with "the compliments" of an officer of the Government, or with a special notice that it is so sent, except that notice that it has been sent, with a request for an acknowledgment of its receipt, may be given.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 218 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 620).

§ 1107. Appropriations chargeable for printing and binding of documents or reports

The cost of printing and binding of documents or reports emanating from executive departments, independent agencies or establishments of the Government which, before March 30, 1906, was charged to appropriations for congressional printing and binding or to appropriations other than to executive departments, independent agencies or establishments, shall be charged as follows:

(1) the cost of illustrations, composition, stereotyping, and other work involved in the actual preparation for printing, apart from the creation of the manuscript, to the appropriation for printing and binding of the agency in which the document or report originates.

(2) the balance of cost, to congressional printing and binding appropriations or to appropriations for printing and binding of the executive departments, independent agencies or establishments in proportion to the number of copies delivered to each.

(3) the cost of copies distributed other than through Congress or executive agencies or independent offices, as otherwise provided.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 214 (Mar. 30, 1906, No. 13, 34 Stat. 825).

A proviso in the 1906 resolution, requiring annual estimates of probable costs for departmental printing is omitted as obsolete.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 717 of this title.

§ 1108. Bureau of Budget approval required for printing of periodicals; number printed; sale to public

The head of an executive department, independent agency or establishment of the Government, with the approval of the Director of the Bureau of the Budget, may use from the appropriations available for printing and binding such sums as are necessary for the printing of journals, magazines, periodicals, and similar publications he certifies in writing to be necessary in the transaction of the public business required by law of the department, office, or establishment. There may be printed, in addition to those necessary for the public business, not to exceed two thousand copies for free distribution by the issuing department, office, or establishment. The Public Printer, subject to regulation by the Joint Committee on Printing, shall print additional copies required for sale to the public by the Superintendent of Documents; but the printing of these additional copies may not interfere with the prompt execution of printing for the Government.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 220 (May 11, 1922, ch. 189, § 1, 42 Stat. 541; June 30, 1932, ch. 314, § 307, 47 Stat. 409).

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2, of 1970 redesignated the Bureau of the Budget as the Office of Management and Budget.

DELEGATION OF FUNCTIONS

Authority of the President under this section to approve the use, from the appropriations available for printing and binding, of such sums as are necessary for the printing of journals, magazines, periodicals, and similar publications delegated to the Director of the Office of Management and Budget, see section 9(7) of Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out as a note under section 301 of Title 3, The President.

§ 1109. Printing documents in two or more editions; full number and allotment of full quota

The number of copies of a public document or report authorized to be printed for an executive department, independent agency, or establishment of the Government may be supplied in two or more editions, instead of one, upon a requisition on the Public Printer by the head of the department or independent office, but the aggregate of the editions may not exceed the number of copies otherwise authorized. This section does not preclude the printing of the full number of a document or report, or the allotment of the full quota to Senators and Representatives, as otherwise authorized, when a legitimate demand for the full complement is known to exist.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 224 (Mar. 30, 1906, No. 14, 34 Stat. 826).

§ 1110. Daily examination of Congressional Record for immediate ordering of documents for official use; limit; bills and resolutions

The heads of executive departments, independent agencies and establishments, respectively, shall cause daily examination of the Congressional Record for the purpose of noting documents, reports, and other publications of interest to their departments, and shall cause an immediate order to be sent to the Public Printer for the number of copies of the publications required for official use, not to exceed, however, the number of bureaus in the department and divisions in the office of the head. The Public Printer shall send to each executive department, independent agency and establishment, as soon as printed, five copies of public bills and resolutions, except to the State Department, to which he shall send ten copies of bills and resolutions. When the head of a department, independent agency or establishment desires a greater number of a class of bills or resolutions for official use, the Public Printer shall furnish them on requisition promptly made.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 215 (Jan. 12, 1895, ch. 23, § 90, 28 Stat. 623; June 20, 1936, ch. 630, title IX, § 14, 49 Stat. 1553).

§ 1111. Annual reports: time for furnishing manuscript and proofs to Public Printer

The appropriations made for printing and binding may not be used for an annual report or the accompanying documents unless the manuscript and proof is furnished to the Public Printer in the following manner:

manuscript of the documents accompanying annual reports on or before February 1, each year;

manuscript of the annual report on or before February 15, each year;

complete revised proofs of the accompanying documents on March 1, each year, and of the annual reports on March 10, each year.

Annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first five days after the assembling of each regular session of Congress.

This section does not apply to the annual reports of the Smithsonian Institution, the Commissioner of Patents, the Comptroller of the Currency, or the Secretary of the Treasury.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1263; Pub. L. 94–273, § 28, Apr. 21, 1976, 90 Stat. 380.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 121 (July 1, 1916, ch. 209, § 3, 39 Stat. 336; June 20, 1936, ch. 630, § 8, 49 Stat. 1550).

AMENDMENTS

1976—Pub. L. 94-273 substituted "February" for "November" and "March" for "December" wherever appearing therein.

CHANGE OF NAME

"Commissioner of Patents" redesignated "Commissioner of Patents and Trademarks", by section 3 of Pub. L. 93-596, Jan. 2, 1975, 88 Stat. 1949, set out as a note under section 1 of Title 35, Patents.

§ 1112. Annual reports: type for reports of executive officers

The annual reports of executive officers shall be printed in the same type and form as the report of the head of the department which it accompanies, unless otherwise ordered by the Joint Committee on Printing.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 222 (Jan. 12, 1895, ch. 23, § 91, 28 Stat. 623).

§ 1113. Annual reports: exclusion of irrelevant matter

Executive officers, before transmitting their annual reports, shall carefully examine them and all accompanying documents, and exclude all matter, including engravings, maps, drawings, and illustrations, except such as they certify in their letters transmitting the reports are necessary and relate entirely to the transaction of the public business.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 219 (part) (Jan. 12, 1895, ch. 23, § 94, 28 Stat. 623).

This section incorporates only the second clause of former section 219. The balance will be found in section 1102 of the revision.

§ 1114. Annual reports: number of copies for Congress

One thousand copies of the annual reports of the departments to Congress shall be printed for the Senate, and two thousand for the House of Representatives.

The usual number only of the reports of the Chief of Engineers of the Army, the Commissioner of Patents, the Commissioner of Internal Revenue, the report of the Chief Signal Officer of the Department of the Army, and the Chief of Ordnance shall be printed.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 212 (part) (Jan. 12, 1895, ch. 23 § 73, 28 Stat. 615).

This section incorporates only the second sentence of former section 212. The balance will be found in section 1115 of this revision.

CHANGE OF NAME

"Commissioner of Patents" redesignated "Commissioner of Patents and Trademarks", by section 3 of Pub. L. 93-596, Jan. 2, 1975, 88 Stat. 1949, set out as a note under section 1 of Title 35, Patents.

ABOLITION OF OFFICES

Positions of Chief Signal Officer and Chief of Ordnance of Army Department were abolished, see note under section 3036 of Title 10, Armed Forces.

§ 1115. Annual reports: time of delivery by Public Printer to Congress

The annual reports of the Executive Departments and the accompanying documents shall be delivered by the Public Printer to the proper officer of each House of Congress at its first meeting. Other reports of the Executive Departments shall be so delivered on or before the third Wednesday next after the meeting of Congress or as soon after as may be practicable.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code 1964 ed., § 212 (part) (R.S. 3810).

This section incorporates only the first sentence of former section 212. The balance will be found in section 1114 of this revision.

§ 1116. Annual reports: limitation on number of copies printed; reports of bureau chiefs

Not to exceed five thousand copies, bound in pamphlet form, of the annual reports without appendices of a head of a department may be printed in a fiscal year. Not to exceed two thousand five hundred copies, bound in pamphlet form, of the reports without appendices of a chief of bureau may be printed in a fiscal year.

A head of department shall direct whether reports made to him by a bureau chief and chief of division may be printed or not.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 213 (part) (Jan. 12, 1895, ch. 23, § 89, 28 Stat. 622).

This section incorporates only the first sentence of the second paragraph of former section 213 and the last paragraph of that section. The balance will be found in sections 1102, 1302, 1308, 1309, 1310, 1336 of the revision.

§ 1117. Annual reports: discontinuance of printing of annual or special reports to keep within appropriations

In order to keep expenditures for printing and binding within appropriations, heads of executive departments, independent offices and establishments of the Government may discontinue the printing of annual or special reports under their respective jurisdictions. When the printing of reports is discontinued the original copy shall be kept on file in the office of the heads of the respective departments, independent offices or establishments for public inspection.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 213a (Aug. 1, 1953, ch. 304, title I, § 103, 67 Stat. 332).

The term "executive departments, independent offices, and establishments of the Government" is substituted for "executive departments, independent agencies, and establishments" for uniformity.

§ 1118. Documents beyond scope of ordinary departmental business

A book or document not having to do with the ordinary business transactions of the executive departments may not be printed on the requisition of a department unless expressly authorized by Congress.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 219a (Mar. 3, 1905, ch. 1484, § 1, 33 Stat. 1249).

§ 1119. Government publications as public property

Government publications of a permanent nature furnished by authority of law to officers other than Members of Congress of the United States Government, for their official use, shall be stamped "Property of the United States Government," and shall be preserved by them and delivered to their successors in office as a part of the property of the office.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 92 (part) (Jan. 12, 1895, ch. 23, § 74, 28 Stat. 620; June 20, 1936, ch. 630, title VII, § 11, 49 Stat. 1552; Aug. 9, 1962, Pub. L. 87–679, § 8, 76 Stat. 355).

This section incorporates only the first sentence of former section 92. The balance will be found in section 1911 of the revision.

§ 1120. Blanks and letterheads for judges and officers of courts

Blanks and letterheads for use by judges and other officials of the United States courts, other than those required to be paid for by any of these officers out of the emoluments of their offices, shall be printed at the Government Printing Office upon forms prescribed by the Department of Justice, and shall be distributed by it upon requisition.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 119 (Jan. 12, 1895, ch. 23, § 97, 28 Stat. 624).

§ 1121. Paper and envelopes for Government agencies in the District of Columbia

The Public Printer may procure, under direction of the Joint Committee on Printing, as provided by sections 509–516 of this title, and furnish on requisition, paper and envelopes (not including envelopes printed in the course of manufacture) in common use by two or more departments, establishments, or services of the Government in the District of Columbia, and reimbursement shall be made to the Public Printer from appropriations or funds available for the purpose. Paper and envelopes so furnished by the Public Printer may not be procured in any other manner.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 225 (June 7, 1924, ch. 303, § 1, 43 Stat. 592).

§ 1122. Supplies for Government establishments

The Public Printer may procure and supply, on the requisition of the head of an executive department, independent office or establishment of the Government, complete manifold blanks, books, and forms required in duplicating processes, and complete patented devices with which to file money-order statements, or other uniform official papers, and charge them to the allotment for printing and binding of the department or Government establishment requiring them.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 227 (June 28, 1902, ch. 1301, § 1, 32 Stat. 481).

The term "executive department, independent office, or establishment of the government" is substituted for "executive department or other government establishment" for uniformity.

§ 1123. Binding materials; bookbinding for libraries

Binding for the departments of the Government shall be done in plain sheep or cloth, except that record and account books may be bound in Russia leather, sheep fleshers, and skivers, when authorized by the head of a department. The libraries of the several departments, the Library of Congress, the libraries of the Surgeon General's Office, the Patent Office, and the Naval Observatory may have books for the exclusive use of these libraries bound in half Turkey, or material no more expensive.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 116 (Jan. 12, 1895, ch. 23, § 86, 28 Stat. 622).

This section incorporates all but the first sentence of former section 116. The balance will be found in section 501 of the revision.

CHANGE OF NAME

"Patent Office" redesignated "Patent and Trademark Office", by section 3 of Pub. L. 93–596, Jan. 2, 1975, 88 Stat. 1949, set out as a note under section 1 of Title 35, Patents.

ABOLITION OF OFFICE OF SURGEON GENERAL

The Office of the Surgeon General was abolished by section 3 of Reorg. Plan No. 3 of 1966, eff. June 25, 1966, 31 F.R. 8855, 80 Stat. 1610, and all functions thereof were transferred to the Secretary of Health, Education, and Welfare by section 1 of Reorg. Plan No. 3 of 1966, set out in the Appendix to Title 5, Government Organization and Employees.

CROSS REFERENCES

Binding of journals, documents, and books of either house of Congress, see section 145 of Title 2, The Congress.

CHAPTER 13—PARTICULAR REPORTS AND DOCUMENTS

Sec.
1301. Agriculture, Department of: report of Secretary.
1302. Agriculture, Department of: monthly crop report and other publications.
1303. American Historical Association: report.
1304. Army and Navy registers.
1305. Attorney General: opinions.
1306. Civil Service Commission: report.

Sec.
1307. Environmental Science Service Administration: charts; sale and distribution.
1308. Coast Guard: annual report of the Commandant.
1309. Coast Guard: notices to mariners and other special publications.
1310. Commerce Department: navigation and weather information.
1311. Comptroller General: decisions.
1312. Director of Public Health of District of Columbia: report.
1313. Education, Commissioner of: report.
1314. Ephemeris and Nautical Almanac.
1315. Fish and Wildlife Service: bulletins.
1316. Fish and Wildlife Service: report of the Director.
1317. Foreign Relations.
1318. Geological Survey: classes and sizes of publications; report of mineral resources; number of copies; reprints; distribution.
1319. Geological Survey: specific appropriations required for monographs and bulletins.
1320. Geological Survey: distribution of publications to public libraries.
1321. Hydrographic Surveys; foreign surveys.
1322. Immigration and Naturalization Service: report.
1323. Interstate Commerce Commission: report.
1324. Labor Statistics, Bureau of: bulletins.
1325. Labor Statistics, Bureau of: report of Commissioner.
1326. Librarian of Congress: reports.
1327. Mines, Bureau of: publications.
1328. Merchant vessels of the United States.
1329. Mint: reports of Director.
1330. Monthly Summary Statement of Imports and Exports.
1331. National Academy of Sciences: report.
1332. National encampments of Veterans' organizations; proceedings printed annually for Congress.
1333. National high school and college debate topics.
1334. Naval Intelligence Office: additional copies of publications.
1335. Naval Observatory Observations.
1336. Naval Oceanographic Office: special publications.
1337. Patent Office: publications authorized to be printed.
1338. Patent Office: limitations and conditions concerning printing and lithographing.
1339. Printing of the President's message.
1340. Public Printer: annual report.
1341. Smithsonian Institution: report.
1342. Soil area surveys: reports; congressional allotments.
1343. Statistical Abstract of the United States.
1344. Treasury Department: reports.

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

CROSS REFERENCES

Administrative conference of the United States, reports of, see section 574 of Title 5, Government Organization and Employees.

Admiralty suits—

United States public vessels: damages, towage, or salvage; reports as to settlements, see section 790 of Title 46, Shipping.

United States vessels or cargoes; reports as to awards and settlements, see section 752 of Title 46.

Atomic Energy Commission, reports to Congress, see section 2016 of Title 42, The Public Health and Welfare.

Board of Governors of Federal Reserve System, annual report, see section 247 of Title 12, Banks and Banking.

Census printing, bulletins, and reports; publication and distribution, see section 7 of Title 13, Census.

Censuses, see section 131 et seq. of Title 13.

Department of Housing and Urban Development, annual reports, see section 3536 of Title 42, The Public Health and Welfare.

Economic Indicators, monthly publication of Joint Economic Committee, see section 1025 of Title 15, Commerce and Trade.

Federal Communications Commission's reports, see section 154 of Title 47, Telegraphs, Telephones, and Radiotelegraphs.

Federal Hospital Insurance Trust Fund, reports of Board of Trustees, see section 1395i of Title 42, The Public Health and Welfare.

Federal Supplementary Medical Insurance Trust Fund, reports of Board of Trustees, see section 1395t of Title 42.

Gorgas Memorial Institute, annual report, see sections 278a and 278b of Title 22, Foreign Relations and Intercourse.

Helium gas, annual reports by Secretary of Interior, see section 167n of Title 50, War and National Defense.

Housing renovation and modernization, statistical and economic surveys, see section 1715 of Title 12, Banks and Banking.

Indian affairs: printing and republication of Senate document on "Indian Affairs, Laws and Treaties", treaties on "Federal Indian Laws", and compilation of opinions of Solicitor of Department of Interior, see section 1341 of Title 25, Indians.

Interior Department, annual reports of department and its bureaus; page limitation, see section 1465 of Title 43, Public Lands.

Locomotive inspection, director of: Annual report, see section 31 of Title 45, Railroads.

Marine resources and engineering development, reports to Congress, see section 1106 of Title 33, Navigation and Navigable Waters.

National Science Foundation, reports of, see section 1862 of Title 42, The Public Health and Welfare.

Official territorial papers, collection, etc., by Administrator of General Services, see section 141 et seq., of Title 4, Flag and Seal, Seat of Government, and the States.

Public Health Service: annual report, see section 229 of Title 42, The Public Health and Welfare.

Rural electrification and telephone service, annual report, see section 910 of Title 7, Agriculture.

Saint Lawrence Seaway, annual and special reports, see section 989 of Title 33, Navigation and Navigable Waters.

Soldiers' Home—

Report of board of commissioners respecting receipts and disbursements, investments, admissions and discharges, and condition and management of Home, see section 59 of Title 24, Hospitals and Asylums.

Report of president of board of commissioners respecting financial and other affairs of Home, see section 42 of Title 24.

Technical, scientific, and engineering information; dissemination, see section 1151 et seq. of Title 15, Commerce and Trade.

Traffic and motor vehicle safety, annual report, see section 1408 of Title 15.

Training reports, see section 279 of Title 10, Armed Forces.

United Nations Organization, reports to Congress by President, see section 287b of Title 22, Foreign Relations and Intercourse.

§ 1301. Agriculture, Department of: report of Secretary

The annual report of the Secretary of Agriculture shall be submitted and printed in two parts, as follows:

part 1, containing purely business and executive matter necessary for the Secretary to submit to the President and Congress;

part 2, reports from the different bureaus and divisions, and papers prepared by their special agents, accompanied by suitable illustrations as are, in the opinion of the Secretary, specially suited to interest and instruct the farmers of the country, and to include a general report of the operations of the department for their information.

In addition to the usual number, there shall be printed of part 1, one thousand copies for the Senate, two thousand copies for the House of Representatives, and three thousand copies for the Department of Agriculture; and of part 2, one hundred and ten thousand copies for the use of the Senate, three hundred and sixty thousand copies for the use of the House of Representatives, and thirty thousand copies for the use of the Department of Agriculture, the illustrations for part 2 to be subject to the approval of the Secretary of Agriculture, and executed under the supervision of the Public Printer, in accordance with directions of the Joint Committee on Printing, and the title of each of the parts shall show that each part is complete in itself.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1265.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 241 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 612).

CROSS REFERENCES

Annual and special reports of Secretary of Agriculture, see section 2207 of Title 7, Agriculture.

Annual report on work of agricultural experiment stations and of college extension work; publication and distribution, see section 418 of Title 7.

Soil area surveys: reports, congressional allotments, see section 1342 of this title.

§ 1302. Agriculture, Department of: monthly crop report and other publications

The Secretary of Agriculture may cause to be printed the number of copies of the monthly crop report, and of other reports and bulletins of not more than one hundred octavo pages, he considers necessary.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1266.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 213 (part) (Jan. 12, 1895, ch. 23, § 89, 28 Stat. 622).

This section incorporates only the first clause of the second sentence of the second paragraph of former section 213. The balance of section 213 will be found in sections 1102, 1116, 1308, 1309, 1310, 1336.

§ 1303. American Historical Association: report

In addition to the usual number of the report of the American Historical Association, five thousand five hundred copies shall be printed: one thousand for the Senate, two thousand for the House of Representatives, one thousand five hundred for distribution by the Association and the Smithsonian Institution, and one thousand copies for the use of the Association.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1266.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 243 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616; May 25, 1900, No. 27, 31 Stat. 717).

§ 1304. Army and Navy registers

In addition to the usual number of the registers of the Army and Navy, fifteen hundred copies of each shall be printed: five hundred for the Senate, and one thousand for the House of Representatives.

(Pub. L. 90–620, Oct. 22, 1968, § 82 Stat. 1266.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 245 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616).

§ 1305. Attorney General: opinions

The Public Printer shall[1] from time to time print an edition of one thousand copies of the opinions of the Attorney General, which shall be, as to size, quality of paper, printing, and binding, of uniform style and appearance, as nearly as practicable, with volume 8 of opinions, published in the year 1868. Each volume shall contain proper headnotes, a complete and full index, and such footnotes as the Attorney General approves. The volumes shall be distributed in the manner the Attorney General prescribes.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1266.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 296a (R.S. § 383).

§ 1306. Civil Service Commission: report

In addition to the usual number of the report of the Civil Service Commission twenty-three thousand copies shall be printed: one thousand for the Senate, two thousand for the House of Representatives, and twenty thousand for distribution by the Civil Service Commission.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1266.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 248 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 614).

§ 1307. Environmental Science Service Administration: charts; sale and distribution

(a) The charts published by the Environmental Science Service Administration shall be sold at cost of paper and printing as nearly as practicable. The price to the public shall include all expenses incurred in actual reproduction of the charts after the original cartography, such as photography, opaquing, platemaking, press time and bindery operations; the full postage rates, according to the rates for postal services used; and any additional cost factors considered appropriate by the Secretary such as overhead and administrative expenses allocable to the production of the charts and related reference materials. The costs of basic surveys and geodetic work done may not be included in the price of the charts and reference materials. The Secretary of Commerce shall publish the prices at which charts and reference materials are sold to the public at least once each calendar year.

(b) There may not be free distribution of charts except to the departments and officers of the United States requiring them for public use; and a number of copies of each sheet, not to exceed three hundred, to be presented to such foreign governments, libraries, and scientific associations, and institutions of learning as the Secretary of Commerce directs; but on the order of Senators and Representatives not to exceed one hundred copies to each may be distributed through the Environmental Science Service Administration.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1266.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 246 (Jan. 12, 1895, ch. 23, § 76, 28 Stat. 620; Feb. 14, 1903, ch. 552, §§ 4, 10, 32 Stat. 826, 829; July 1, 1916 ch. 209, § 1, 39 Stat. 320; June 5, 1920, ch. 235, § 1, 41 Stat. 929; Oct. 31, 1951, ch. 654, § 3(11), 65 Stat. 708; July 9, 1956, ch. 528, 70 Stat. 512; Aug. 14, 1964, Pub. L. 88–441, 78 Stat. 446).

The reference to the Environmental Science Service Administration is inserted on the authority of Reorganization Plan No. 2 of 1965.

TRANSFER OF FUNCTIONS

The Environmental Science Services Administration in the Department of Commerce, including the offices of Administrator and Deputy Administrator thereof, were abolished by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees, which created the National Oceanic and Atmospheric Administration in the Department of Commerce and transferred the personnel, property, records, and unexpended balances of funds of the Environmental Science Services Administration to such newly created National Oceanic and Atmospheric Administration. The components of the Environmental Science Services Administration thus transferred included the Weather Bureau [now the National Weather Service], the Coast and Geodetic Survey [now the National Ocean Survey], the Environmental Data Service, the National Environmental Satellite Center, and the ESSA Research Laboratories.

In order to implement the provisions of Reorganization Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, the following organizational names appearing in chapter IX of subtitle B of Title 15, Code of Federal Regulations, which covers the administration of the National Oceanic and Atmospheric Administration, were changed by order of the Acting Associate Administrator, 35 F.R. 19249, Dec. 19, 1970, as follows: Environmental Science Services Administration to National Oceanic and Atmospheric Administration (ESSA to NOAA); Coast and Geodetic Survey to National Ocean Survey; and Weather Bureau to National Weather Service.

CROSS REFERENCES

Dissemination of data and other activities, see section 883b of Title 33, Navigation and Navigable Waters.

Geomagnetic data; collection, correlation, and dissemination, see section 883c of Title 33.

Surveys and other activities, see section 883a of Title 33.

§ 1308. Coast Guard: annual report of the Commandant

The Secretary of the Department of Transportation may authorize the printing of the annual report of the Commandant of the Coast Guard in such editions as the interests of the Government and of the public require.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1267.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 213 (Jan. 12, 1895, ch. 23, § 89, 28 Stat. 622; Mar. 13, 1896, No. 23, 29 Stat. 466; Feb. 14, 1903, ch. 552, §§ 4, 10, 32 Stat. 826, 829; Mar. 3, 1925, ch. 421, § 4, 43 Stat. 1106; 1939 Reorg. Plan No. II, § 2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432; Aug. 4, 1949, ch. 393, §§ 1, 20, 63 Stat. 496, 561; Oct. 15, 1966, Pub. L. 89–670, 80 Stat. 931).

This section incorporates only so much of the third sentence of the second paragraph of former section 213 as relates to the annual report of the Commandant of the Coast Guard. The balance will be found in sections 1102, 1116, 1302, 1309, 1310, 1336 of the revision.

§ 1309. Coast Guard: notices to mariners and other special publications

The Secretary of the Department of Transportation may authorize the printing of notices to mariners and other special publications of the Coast Guard in such editions as the interests of the Government and of the public require.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1267.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 213 (part) (Jan. 12, 1895, ch. 23, § 89, 28 Stat. 622; Mar. 13, 1896, No. 23, 29 Stat. 466; Feb. 14, 1903, ch. 552, §§ 4, 10, 32 Stat. 826, 829; Mar. 3, 1925, ch. 421, § 4, 43 Stat. 1106; 1939 Reorg. Plan No. II, § 2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432; Aug. 4, 1949, ch. 393, §§ 1, 20, 63 Stat. 496, 561; Oct. 15, 1966, Pub. L. 89–670, 80 Stat. 931).

This section incorporates applicable parts of the third sentence of the second paragraph of former section 213. The balance will be found in sections 1102, 1116, 1302, 1308, 1310, 1336 of the revision.

§ 1310. Commerce Department: navigation and weather information

The Secretary of Commerce may cause to be printed the number of copies of tide tables, coast pilots, and other special publications relating to the Coast and Geodetic Survey, Weather Bureau maps, charts, bulletins of not more than one hundred octavo pages, and minor reports of the Weather Bureau, he considers for the best interest of the Government.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1267.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 213 (part) (Jan. 12, 1895, ch. 23, § 89, 28 Stat. 622; Mar. 13, 1896, No. 23, 29 Stat. 466; Mar. 3, 1925, ch. 421, § 4, 43 Stat. 1106; 1940 Reorg. Plan No. IV, § 8, eff. June 30, 1940, 54 Stat. 1234; Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318).

This section incorporates only parts of former section 213 relating to Coast and Geodetic Survey and Weather Bureau. The balance will be found in sections 1102, 1116, 1302, 1308, 1309, 1336 of the revision.

CHANGE OF NAME

The Weather Bureau of the Department of Commerce was consolidated with the Coast and Geodetic Survey to form a new agency in the Department of Commerce to be known as the Environmental Science Services Administration and the office of Chief of the Weather Bureau was abolished by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out in the Appendix to Title 5, Government Organization and Employees. All functions of the Bureau and the Chief of the Bureau were transferred to the Secretary of Commerce by the Plan.

The Environmental Science Services Administration was abolished by Reorg. Plan No. 4 of 1970, eff. Oct. 3,

1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees, which created the National Oceanic and Atmospheric Administration in the Department of Commerce. By Department Organization Order 25-5A, republished 39 F.R. 27486, the Secretary of Commerce delegated to NOAA his functions relating to the Weather Bureau. By order of the Acting Associate Administrator of NOAA, the organization name of the Weather Bureau was changed to the National Weather Service. By order of the Acting Associate Administrator of NOAA, 35 F.R. 19249, Dec. 19, 1970, the Coast and Geodetic Survey was redesignated the National Ocean Survey. For further details, see the Codification note under section 311 of Title 15, Commerce and Trade.

§ 1311. Comptroller General: decisions

The Public Printer shall print not more than one volume each of the decisions and opinions of the Comptroller General, with such explanatory matter as he may furnish, and furnish ten copies for the use of each Member of Congress; two thousand copies to the Comptroller General; and for distribution in the manner provided by section 7 of the Act of June 20, 1874 (18 Stat. 113), providing for the publication of the statutes, one-half the number therein mentioned.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1267.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 297 (Aug. 3, 1882, No. 63, 22 Stat. 391; June 10, 1921, ch. 18, 42 Stat. 23-27).

References in Text

Section 7 of act June 20, 1674, ch. 333, 18 Stat. 113, referred to in text, which provided for the distribution of bound volumes of the Statutes-at-Large by the Secretary of State, was repealed by act Jan. 12, 1895, ch. 23, §§ 73, 100, 28 Stat. 615, 624.

§ 1312. Director of Public Health of District of Columbia: report

In addition to the usual number of the report of the Director of Public Health of the District of Columbia, one thousand five hundred copies shall be printed: one hundred for the Senate, three hundred and sixty for the House of Representatives, and one thousand and forty for the Director of Public Health.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1267.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 263 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 614; Aug. 1, 1950, ch. 513, § 1, 64 Stat. 393).

§ 1313. Education, Commissioner of: report

In addition to the usual number of the report of the Commissioner of Education, thirty-five thousand copies shall be printed: five thousand for the Senate, ten thousand for the House of Representatives, and twenty thousand for distribution by the Commissioner of Education.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1267.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 253 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 614).

§ 1314. Ephemeris and Nautical Almanac

The "usual number" of copies of the American Ephemeris and Nautical Alamanac may not be printed. Instead, there shall be printed and bound two thousand five hundred copies, uniform with the editions printed for the Department of the Navy, five hundred of which shall be for the use of the Senate, one thousand for the use of the House of Representatives, and one thousand for distribution or sale by the Department of the Navy. The Secretary of the Navy may cause to be published of the papers supplementary to the Ephemeris and Nautical Almanac, one thousand five hundred copies in addition to the usual number, one hundred copies for the Senate, four hundred for the House of Representatives, and one thousand for distribution or sale by the Department of the Navy. The Secretary of the Navy may cause additional copies of the Nautical Almanacs extracted from the Ephemeris, to be printed for the public service and for sale to navigators and others. Moneys received from sales of the Ephemeris and of the Nautical Almanacs shall be deposited in the Treasury and placed to the credit of the general fund for public printing.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1267.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 254 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 613; May 13, 1902, No. 20, 32 Stat. 740; July 1, 1902, ch. 1368, 32 Stat. 678).

§ 1315. Fish and Wildlife Service: bulletins

In addition to the usual number of the bulletins of the Fish and Wildlife Service, five thousand copies shall be printed: one thousand for the Senate, two thousand for the House of Representatives, and two thousand for distribution by the Service.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1268.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 258 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 614; 1940 Reorg. Plan No. III, § 3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232).

Transfer of Functions

The Fish and Wildlife Service, created by Reorg. Plan No. III of 1940, § 3, eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231, was succeeded by the United States Fish and Wildlife Service established by act Aug. 8, 1956, ch. 1036, § 3, 70 Stat. 1119. See section 742b of Title 16, Conservation.

§ 1316. Fish and Wildlife Service: report of the Director

In addition to the usual number of the report of the Director of the Fish and Wildlife Service, eight thousand copies shall be printed: two thousand for the Senate, four thousand for the House of Representatives, and two thousand for distribution by the Service.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1268.)

Historical and Revision Notes

Based on 44 U.S. Code, 1964 ed., § 259 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 614; 1940 Reorg. Plan No. III, § 3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232).

TRANSFER OF FUNCTIONS

The Fish and Wildlife Service, created by Reorg. Plan No. III of 1940, § 3, eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231, was succeeded by the United States Fish and Wildlife Service established by act Aug. 8, 1956, ch. 1036, § 3, 70 Stat. 1119. See section 742b of Title 16, Conservation.

§ 1317. Foreign Relations

In addition to the usual number of Foreign Relations, three thousand copies of each shall be printed: one thousand for the Senate and two thousand for the House of Representatives.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1268.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 250 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 613).

WRITTEN REQUESTS FOR DOCUMENTS

Pub. L. 94-59, title VIII, § 801, July 25, 1975, 89 Stat. 296, provided in part that: "Hereafter, notwithstanding any other provisions of law, appropriations for the automatic distribution to Senators and Representatives (including Delegates to Congress and the Resident Commissioner from Puerto Rico) of copies of the Foreign Relations of the United States, the United States Treaties and Other International Agreements, the District of Columbia Code and Supplements, and more than one bound set of the United States Code and Supplements shall not be available with respect to any Senator or Representative unless such Senator or Representative specifically, in writing, requests that he receive copies of such documents."

§ 1318. Geological Survey: classes and sizes of publications; report of mineral resources; number of copies; reprints; distribution

The publications of the Geological Survey shall consist of the annual report of the Director, which shall be confined to one volume of royal octavo size; monographs, of quarto size; professional papers, of quarto size; bulletins, of ordinary octavo size; watersupply and irrigation papers, of ordinary octavo size; and maps, folios, and atlases required by law.

In addition to the usual number of the report of the Geological Survey, ten thousand copies shall be printed: two thousand for the Senate, four thousand for the House of Representatives, four thousand for distribution by the Geological Survey.

The reports of the Geological Survey, except the annual report of the Director, shall be published in editions recommended in each case by the Director and approved by the Secretary of the Interior, but not to exceed ten thousand copies.

When the edition of a report of the Survey is exhausted, and the demand for it continues, there may be published, on the requisition of the Secretary of the Interior, as many additional copies of the report as the Director of the Survey states will, in his judgment, be necessary to meet the demand.

The report of the mineral resources of the United States shall be published in two octavo volumes and as a distinct publication, the number of copies, printing of separate chapters, and mode of distribution of which shall be the same as of the annual report.

Three thousand copies of the monographs and bulletins of the Geological Survey shall be published.

The bulletins and professional papers shall be distributed gratuitously and of the number published one thousand copies shall be delivered to the Senate and two thousand copies to the House of Representatives, for distribution.

The Director of the Geological Survey shall transmit to the Library of Congress two copies of every report of the bureau as soon as the first delivery to the Survey is made, in addition to those received by the Library of Congress under any other law.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1268.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 260 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 614; Mar. 2, 1895, ch. 189, § 1, 28 Stat. 960; June 11, 1896, ch. 420, § 1, 29 Stat. 453; June 4, 1897, ch. 2, § 1, 30 Stat. 61; Mar. 2, 1901, No. 17, 31 Stat. 1465; May 16, 1902, No. 22, 32 Stat. 741; Mar. 4, 1909, ch. 299, § 1, 35 Stat. 988).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 43 section 41.

§ 1319. Geological Survey: specific appropriations required for monographs and bulletins

The scientific reports known as the monographs and bulletins of the Geological Survey may not be published until specific and detailed estimates and specific appropriations based on these estimates are made for them. Engravings for the annual reports for monographs and bulletins, or of illustrations, sections, and maps, may not be made until specific estimates are submitted and specific appropriations made based on the estimates.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1269.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 261 (Jan. 12, 1895, ch. 23, § 79, 28 Stat. 621; June 7, 1924, ch. 303, 43 Stat. 592).

§ 1320. Geological Survey: distribution of publications to public libraries

The Director of the Geological Survey shall distribute to public libraries that have not already received them, copies of sale publications on hand at the expiration of five years after date of delivery to the Survey document room, excepting a reserve number not to exceed two hundred copies.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1269.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 262 (Mar. 3, 1903, ch. 1007, § 1, 32 Stat. 1146).

§ 1321. Hydrographic Surveys: foreign surveys

Appropriations made for the preparation or publication of foreign hydrographic surveys may be applicable only upon approval by the Secretary of the Navy, after a report from three competent naval officers that the original data for proposed charts justify their publication. The Secretary of the Navy shall order a board of three naval officers to examine and report upon the data before he approves an application of moneys to the preparation or publication of charts or hydrographic surveys.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1269.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 265 (R.S. § 3686; Jan. 12, 1895, ch. 23, § 78, 28 Stat. 621).

§ 1322. Immigration and Naturalization Service: report

The number of copies, not to exceed five thousand, to be printed of the annual reports of the Immigration and Naturalization Service of the Department of Justice shall be subject to the discretion of the Attorney General.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1269.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 266 (Mar. 3, 1905, No. 33, 33 Stat. 1287; Mar. 4, 1913, ch. 141, § 3, 37 Stat. 737; Ex. Ord. No. 6166, § 14, June 10, 1933; 1940 Reorg. Plan No. V, § 1, eff. June 14, 1940, 5 F.R. 2223, 54 Stat. 1238).

§ 1323. Interstate Commerce Commission: report

In addition to the usual number of the annual report of the Interstate Commerce Commission, three thousand copies shall be printed: one thousand for the Senate, two thousand for the House, and for the use of the Commission that number of the report and other documents incident to interstate commerce for distribution by it as it considers expedient.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1269.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 269 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 614).

§ 1324. Labor Statistics, Bureau of: bulletins

There shall be printed one edition of fifteen thousand copies of each issue of the bulletin of the Bureau of Labor Statistics authorized by section 5 of Title 29, and extra copies not to exceed twenty thousand of any single issue, when in the opinion of the Commissioner of Labor Statistics the demand for the bulletin makes an extra edition necessary.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1269.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 270 (Mar. 2, 1895, ch. 177, § 1, 28 Stat. 805; June 4, 1897, ch. 2, § 1, 30 Stat. 61; June 6, 1900, ch. 791, § 1, 31 Stat. 644; Mar. 4, 1913, ch. 141, § 3, 37 Stat. 737).

§ 1325. Labor Statistics, Bureau of: report of Commissioner

In addition to the usual number of the report of the Commissioner of Labor Statistics, twenty-five thousand copies shall be printed: five thousand for the Senate, ten thousand for the House of Representatives, and ten thousand for distribution by the Commissioner.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1269.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 271 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 614; Mar. 4, 1913, ch. 141, § 3, 37 Stat. 737).

§ 1326. Librarian of Congress: reports

Five thousand copies of the annual and special reports of the Librarian of Congress submitted to Congress, shall be printed and bound in cloth for the Library of Congress.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 156 (Feb. 24, 1904, No. 8, 33 Stat. 583).

§ 1327. Mines, Bureau of: publications

The publications of the Bureau of Mines shall be published in editions recommended by the Secretary of the Interior, but not to exceed ten thousand copies for the first edition. When the edition of a publication of the Bureau of Mines is exhausted and the demand for it continues, there may be published, on the requisition of the Secretary of the Interior, as many additional copies as the Secretary of the Interior considers necessary to meet the demand.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 272 (June 25, 1910, No. 36 §§ 1, 2, 36 Stat. 883; Ex. Ord. No. 6611, Feb. 22, 1934).

§ 1328. Merchant vessels of the United States

Five thousand copies of the annual list of merchant vessels of the United States may be printed for distribution by the Coast Guard.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 249 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616; Feb. 14, 1903, ch. 552, § 4, 32 Stat. 826; June 30, 1932, ch. 314, § 501, 47 Stat. 415; May 27, 1936, ch. 463, § 1, 49 Stat. 1380; 1946 Reorg. Plan No. 3, §§ 101-104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097).

CODIFICATION

The first paragraph of former section 249, act Jan. 12, 1895, ch. 23, sec. 73, 28 Stat. 616, was omitted as obsolete. Paragraph related to report on Commerce and Navigation and on Internal Commerce. These reports were discontinued.

§ 1329. Mint: reports of Director

There may be printed, in the discretion of the Secretary of the Treasury, for distribution by the Treasury Department, two thousand copies of the annual report of the Director of the Mint on the operations of the mint and assay offices with appendices, and of the annual report of the Director of the Mint on the production of precious metals.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 273 (Mar. 4, 1907, No. 24, 34 Stat. 1424).

§ 1330. Monthly Summary Statement of Imports and Exports

There shall be printed monthly by the Public Printer thirty-five hundred copies of the Monthly Summary Statement of Imports and Exports and other statistical information prepared by the Secretary of Commerce, five hundred for the Senate, one thousand for the House of Representatives, and two thousand for the Department of Commerce.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 298 (Dec. 18, 1895, No. 1, 29 Stat. 459; Feb. 14, 1903, ch. 552, § 4, 32 Stat. 826; Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; 1950 Reorg. Plan No. 5, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1263).

§ 1331. National Academy of Sciences: report

In addition to the usual number of the report of the National Academy of Sciences, two thousand copies shall be printed: five hundred for the Senate, one thousand for the House of Representatives, and five hundred for distribution by the National Academy of Sciences.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 275 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616).

§ 1332. National encampments of Veterans' organizations; proceedings printed annually for Congress

The proceedings of the national encampments of the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, the Military Order of the Purple Heart, the Veterans of World War I of the United States of America, Incorporated, the Disabled American Veterans, and the AMVETS (American Veterans of World War II), respectively, shall be printed annually, with accompanying illustrations, as separate House documents of the session of the Congress to which they may be submitted.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 275b (Mar. 2, 1931, ch. 378, § 1, 46 Stat. 1481; Sept. 18, 1941, ch. 411, 55 Stat. 686; July 15, 1942, ch. 505, § 1, 56 Stat. 659; Aug. 27, 1963, Pub. L. 88–105, § 1, 77 Stat. 130; Dec. 21, 1963, Pub. L. 88–224, 77 Stat. 469).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 36 section 1103.

§ 1333. National high school and college debate topics

(a) The Librarian of Congress shall prepare compilations of pertinent excerpts, bibliographical references, and other appropriate materials relating to:

(1) the subject selected annually by the National University Extension Association as the national high school debate topic and

(2) the subject selected annually by the American Speech Association as the national college debate topic.

In preparing the compilations the Librarian shall include materials which in his judgment are representative of, and give equal emphasis to, the opposing points of view on the respective topics.

(b) The compilations on the high school debate topics shall be printed as Senate documents and the compilations on the college debate topics shall be printed as House of Representatives documents, the cost of which shall be charged to the congressional allotment for printing and binding. Additional copies may be printed in the quantities and distributed in the manner the Joint Committee on Printing directs.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. III, § 170 [§ 276a] (Dec. 30, 1963, Pub. L. 88–246, §§ 1, 2, 77 Stat. 802).

§ 1334. Naval Intelligence Office: additional copies of publications

In addition to one thousand copies previously authorized, the Secretary of the Navy may print extra copies of the publications of the Office of Naval Intelligence necessary for distribution to the naval service and to meet other official demands. The edition of any one publication may not exceed two thousand copies.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1271.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 278 (Mar. 21, 1900, No. 14, 31 Stat. 713).

§ 1335. Naval Observatory Observations

In addition to the usual number of the Observations of the Naval Observatory, one thousand eight hundred copies shall be printed: three hundred for the Senate, seven hundred for the House of Representatives, and eight hundred for distribution by the Naval Observatory; and of the astronomical appendixes to the Observations, one thousand two hundred separate copies, and of the meteorological and magnetic observations one thousand separate copies, for distribution by the Naval Observatory.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1271.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 279 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 613).

§ 1336. Naval Oceanographic Office: special publications

The Secretary of the Navy may authorize the printing of notices to mariners, light lists, sailing directions, bulletins, and other special publications of the United States Naval Oceanographic Office in editions the interests of the Government and of the public may require.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1271.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 213 (Jan. 12, 1895, ch. 23, § 89, 28 Stat. 622; Mar. 13, 1896, No. 23, 29 Stat. 466; Mar. 3, 1925, ch. 421, § 4, 43, Stat. 1106; July 10, 1962, Pub. L. 87–533, §§ 1, 2, 76 Stat. 154).

This section incorporates only part of the third sentence, second paragraph of former section 213. The balance will be found in sections 1102, 1116, 1302, 1308, 1309, 1310, of the revision.

TRANSFER OF FUNCTIONS

Functions assigned to the Secretary of the Navy and the Naval Oceanographic Office by sections 7391, 7392, 7393, and 7394 of this title were transferred, pursuant to authority contained in section 125 of this title, to the Secretary of Defense by Department of Defense Reorganization Order of March 28, 1972. The Defense Mapping Agency, which became operational on July 1, 1972, has been delegated authority by the

Secretary of Defense to carry out the responsibilities assigned under this section.

§ 1337. Patent Office: publications authorized to be printed

The Commissioner of Patents, upon the requisition of the Secretary of Commerce may cause to be printed:

1. PATENTS ISSUED.—The patents for inventions and designs issued by the Patent Office, including grants, specifications, and drawings, together with copies of them, and of patents already issued, in the number needed for the business of the office.

2. TRADE-MARKS AND LABELS.—The certificates of trade-marks and labels registered in the Patent Office, including descriptions and drawings, together with copies of them, and of trade-marks and labels previously registered, in the numbers needed for the business of the office.

3. OFFICIAL GAZETTE.—The Official Gazette of the United States Patent Office in numbers sufficient to supply all who subscribe for it at $5 a year; also for exchange for other scientific publications desirable for the use of the Patent Office; also to supply one copy to each Senator and Representative in Congress; with one hundred additional copies, together with weekly, monthly, and annual indexes. The "usual number" of the Official Gazette may not be printed.

4. REPORT OF COMMISSIONER OF PATENTS.—The annual report of the Commissioner of Patents, not exceeding five hundred in number, for distribution by him; the annual report of the Commissioner of Patents to Congress, without the list of patents, not exceeding one thousand five hundred in number, for distribution by him; and the annual report of the Commissioner of Patents to Congress, with the list of patents, five hundred copies for sale by him, if needed, and in addition the "usual number" only shall be printed.

5. RULES OF PRACTICE, LAWS, ETC.—Pamphlet copies of the rules of practice, and of the patent laws, and pamphlet copies of the laws and rules relating to trade-marks and labels, and circulars relating to the business of the office, all in numbers as needed for the business of the office. The "usual number" may not be printed.

6. DECISIONS OF COMMISSIONER AND COURTS.—Annual volumes of the decisions of the Commissioner of Patents and of the United States courts in patent cases, not exceeding one thousand five hundred in number, of which the usual number shall be printed, and for this purpose a copy of each shall be transmitted to Congress promptly when prepared.

7. INDEXES.—Indexes to patents relating to electricity, and indexes to foreign patents, in the numbers needed for the business of the office. The "usual number" may not be printed.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1271.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 283 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 619, 620; Feb. 14, 1903, ch. 552, §§ 4, 12, 32 Stat. 826, 830; Aug. 24, 1912, ch. 355, § 1, 37 Stat. 481; Feb. 18, 1922, ch. 58, § 4, 42 Stat. 391; June 7, 1924, ch. 303, § 1, 43 Stat. 592).

CHANGE OF NAME

"Patent Office" and "Commissioner of Patents" redesignated "Patent and Trademark Office" and "Commissioner of Patents and Trademarks", respectively, by section 3 of Pub. L. 93-596, Jan. 2, 1975, 88 Stat. 1949, set out as a note under section 1 of Title 35, Patents.

CROSS REFERENCES

Commissioner of Patents and Trademarks, annual report to Congress, see section 14 of Title 35, Patents.

Copies of patents for public libraries, see section 13 of Title 35.

Copyright Office, see section 701 et seq. of Title 17, Copyrights.

Patent and Trademark Office publications, see section 11 of Title 35, Patents.

§ 1338. Patent Office: limitations and conditions concerning printing and lithographing

Printing for the Patent Office making use of lithography or photo-lithography, together with the plates, shall be contracted for and performed under the direction of the Commissioner of Patents, under limitations and conditions prescribed by the Joint Committee on Printing, and other printing for the Patent Office shall be done by the Public Printer under limitations and conditions prescribed by the Joint Committee on Printing. The entire work may be done at the Government Printing Office when in the judgment of the Joint Committee on Printing it is to the interest of the Government.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1272.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 284 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 620).

CHANGE OF NAME

"Patent Office" and "Commissioner of Patents" redesignated "Patent and Trademark Office" and "Commissioner of Patents and Trademarks", respectively, by section 3 of Pub. L. 93-596, Jan. 2, 1975, 88 Stat. 1949, set out as a note under section 1 of Title 35, Patents.

CROSS REFERENCES

Executive and judiciary printing and binding, restrictions on use of illustrations, see section 1104 of this title.

Government printing, binding, and blank-book work to be done at Government Printing Office, see section 501 of this title.

§ 1339. Printing of the President's Message

The message of the President without the accompanying documents and reports shall be printed in pamphlet form, immediately upon its receipt by Congress. In addition to the usual number, fifteen thousand copies shall be printed, of which five thousand shall be for the Senate, and ten thousand for the House of Representatives.

In addition to the usual number of the President's message and accompanying documents, there shall be printed one thousand copies for the Senate and two thousand for the House of Representatives. The President's message shall be delivered by the printer to the appropriate officers of each House of Congress on or before the third Wednesday next after the meeting of Congress, or as soon after as may be practicable.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1272.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 285 (R.S. § 3810; Jan. 12, 1895, ch. 23, § 73, 28 Stat. 615).

§ 1340. Public Printer: annual report

In addition to the usual number of the annual report of the Public Printer, one thousand copies shall be printed to be distributed under his direction.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1272.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 288 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 618).

§ 1341. Smithsonian Institution: report

In addition to the usual number of the report of the Smithsonian Institution ten thousand copies shall be printed: one thousand for the Senate, two thousand for the House of Representatives, five thousand for distribution by the Smithsonian Institution, and two thousand for distribution by the National Museum.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1272.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 289 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616).

§ 1342. Soil area surveys: reports; congressional allotments

As soon as the manuscript can be prepared with the necessary maps and illustrations to accompany it, a report on each soil area surveyed by the Secretary of Agriculture shall be printed in the form of advance sheets bound in paper covers, of which not more than two hundred and fifty copies shall be for the use of each Senator from the State and not more than one thousand copies for the use of each Representative for the congressional district or districts in which a survey is made, the actual number to be determined on inquiry by the Secretary of Agriculture made to the Senators and Representatives, and as many copies for the use of the Department of Agriculture as in the judgment of the Secretary of Agriculture are necessary. The Superintendent of Documents shall hold the total congressional and department edition for two years and distribute within these limitations according to the requests of the Senators, Representatives, or department, and at the expiration of the two-year period turn over to the Department of Agriculture the residue of the edition.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1272.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 290 (Feb. 23, 1901, No. 8, 31 Stat. 1462; June 3, 1902, ch. 985, 32 Stat. 303; Mar. 14, 1904, No. 9, 33 Stat. 583; July 7, 1932, ch. 443, § 1, 47 Stat. 612).

§ 1343. Statistical Abstract of the United States

In addition to the usual number of the Statistical Abstract of the United States, twelve thousand copies shall be printed: three thousand for the Senate, six thousand for the House of Representatives, and three thousand for distribution by the Secretary of Commerce.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1273.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 291 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616; Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; 1950 Reorg. Plan No. 5, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1263).

§ 1344. Treasury Department: reports

In addition to the usual number of the finance report of the Secretary of the Treasury, one thousand copies for the Senate and two thousand for the House of Representatives shall be printed in addition to those published as part of the departmental report.

In addition to the usual number of the annual report of the Comptroller of the Currency, thirteen thousand copies shall be printed: one thousand for the Senate, two thousand for the House of Representatives, and ten thousand for distribution by the Comptroller of the Currency.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1273.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 295 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616; Mar. 4, 1907, No. 25, 34 Stat. 1425).

CHAPTER 15—FEDERAL REGISTER AND CODE OF FEDERAL REGULATIONS

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FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 15 sections 77sss, 80a-38.

§ 1501. Definitions

As used in this chapter, unless the context otherwise requires—

"document" means a Presidential proclamation or Executive order and an order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument, issued, prescribed, or promulgated by a Federal agency;

"Federal agency" or "agency" means the President of the United States, or an executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government;

"person" means an individual, partnership, association, or corporation.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1273.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 304 (July 26, 1935, ch. 417, § 4, 49 Stat. 501).

§ 1502. Custody and printing of Federal documents; appointment of Director

The Administrator of General Services, acting through the Office of the Federal Register, is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published by section 1505 of this title. There shall be at the head of the Office a director, appointed by, and who shall act under the general direction of, the Administrator of General Services in carrying out this chapter and the regulations prescribed under it.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1273.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 301 (July 26, 1935, ch. 417, § 1, 49 Stat. 500; 1939 Reorg. Plan No. II, § 202, eff. July 1, 1939, 4 F.R. 2732, 53 Stat. 1435; June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381).

§ 1503. Filing documents with Office; notation of time; public inspection; transmission for printing

The original and two duplicate originals or certified copies of a document required or authorized to be published by section 1505 of this title shall be filed with the Office of the Federal Register, which shall be open for that purpose during all hours of the working days when the National Archives Building is open for official business. The Administrator of General Services shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing. When the original is issued, prescribed, or promulgated outside the District of Columbia, and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon filing, at least one copy shall be immediately available for public inspection in the Office. The original shall be retained in the archives of the National Archives of the United States and shall be available for inspection under regulations prescribed by the Administrator. The Office shall transmit immediately to the Government Printing Office for printing, as provided by this chapter, one duplicate original or certified copy of each document required or authorized to be published by section 1505 of this title. Every Federal agency shall cause to be transmitted for filing the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1274.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 302 (July 26, 1935, ch. 417, § 2, 49 Stat. 500; June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1504, 1506, 1507 of this title.

§ 1504. "Federal Register"; printing; contents; distribution; price

Documents required or authorized to be published by section 1505 of this title shall be printed and distributed immediately by the Government Printing Office in a serial publication designated the "Federal Register." The Public Printer shall make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required by this chapter and the regulations prescribed under it. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Office of the Federal Register up to the time of the day immediately preceding the day of distribution fixed by regulations under this chapter. There shall be printed with each document a copy of the notation, required to be made by section 1503 of this title, of the day and hour when, upon filing with the Office, the document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at a time in the morning of the day of distribution fixed by regulations prescribed under this chapter. The prices to be charged for the Federal Register may be fixed by the Administrative Committee of the Federal Register established by section 1506 of this title without reference to the restrictions placed upon and fixed for the sale of Government publications by sections 1705 and 1708 of this title.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1274.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed., § 303 (July 26, 1935, ch. 417, § 3, 49 Stat. 500).

§ 1505. Documents to be published in Federal Register

(a) Proclamations and Executive Orders; documents having general applicability and legal effect; documents required to be published by Congress

There shall be published in the Federal Register—

(1) Presidential proclamations and Executive orders, except those not having general applicability and legal effect or effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof;

(2) documents or classes of documents that the President may determine from time to time have general applicability and legal effect; and

(3) documents or classes of documents that may be required so to be published by Act of Congress.

For the purposes of this chapter every document or order which prescribes a penalty has general applicability and legal effect.

(b) Documents authorized to be published by regulations; comments and news items excluded

In addition to the foregoing there shall also be published in the Federal Register other documents or classes of documents authorized to be published by regulations prescribed under this chapter with the approval of the President, but comments or news items of any character may not be published in the Federal Register.

(c) Suspension of requirements for filing of documents; alternate systems for promulgating, filing, or publishing documents; preservation of originals

In the event of an attack or threatened attack upon the continental United States and a determination by the President that as a result of an attack or threatened attack—

(1) publication of the Federal Register or filing of documents with the Office of the Federal Register is impracticable, or

(2) under existing conditions publication in the Federal Register would not serve to give appropriate notice to the public of the contents of documents, the President may, without regard to any other provision of law, suspend all or part of the requirements of law or regulation for filing with the Office or publication in the Federal Register of documents or classes of documents.

The suspensions shall remain in effect until revoked by the President, or by concurrent resolution of the Congress. The President shall establish alternate systems for promulgating, filing, or publishing documents or classes of documents affected by such suspensions, including requirements relating to their effectiveness or validity, that may be considered under the then existing circumstances practicable to provide public notice of the issuance and of the contents of the documents. The alternate systems may, without limitation, provide for the use of regional or specialized publications or depositories for documents, or of the press, the radio, or similar mediums of general communication. Compliance with alternate systems of filing or publication shall have the same effect as filing with the Office or publication in the Federal Register under this chapter or other law or regulation. With respect to documents promulgated under alternate systems, each agency shall preserve the original and two duplicate originals or two certified copies for filing with the Office when the President determines that it is practicable.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1274.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed., § 305 (July 26, 1935, ch. 417, § 5, 49 Stat. 501; June 25, 1956, ch. 444, 70 Stat. 337).

EX. ORD. NO. 11030. PREPARATION, PRESENTATION, FILING, AND PUBLICATION OF EXECUTIVE ORDERS AND PROCLAMATIONS

Ex. Ord. No. 11030, June 19, 1962, 27 F.R. 5847, as amended by Ex. Ord. 11354, May 23, 1967, 32 F.R. 7695, provided:

By virtue of the authority vested in me by the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. 301 *et seq.*) [now this chapter], and as President of the United States, I hereby prescribe the following regulations governing the preparation, presentation, filing, and publication of Executive orders and proclamations:

SECTION 1. *Form.* Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(a) The order or proclamation shall be given a suitable title.

(b) The order or proclamation shall contain a citation of the authority under which it is issued.

(c) Punctuation, capitalization, spelling, and other matters of style shall, in general, conform to the most recent edition of the Style Manual of the United States Government Printing Office.

(d) The spelling of geographic names shall conform to the decisions of the Board on Geographic Names, established by Section 2 of the Act of July 25, 1947, 61 Stat. 456 (43 U.S.C. 364a).

(e) Descriptions of tracts of land shall conform, so far as practicable, to the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," prepared by the Bureau of Land Management, Department of the Interior.

(f) Proposed Executive orders and proclamations shall be typewritten on paper approximately 8 × 13 inches, shall have a left-hand margin of approximately 1½ inches and a right-hand margin of approximately 1 inch, and shall be double-spaced, except that quotations, tabulations, and descriptions of land may be single-spaced.

(g) Proclamations issued by the President shall conclude with the following described recitation—

IN WITNESS WHEREOF, I have hereunto set my hand this ———— day of ————, in the year of our lord ————, and of the Independence of the United States of America, the ————.

SEC. 2. *Routing and approval of drafts.* (a) A proposed Executive order or proclamation shall first be submitted, with seven copies thereof, to the Director of the Bureau of the Budget [now Director of the Office of Management and Budget], together with a letter, signed by the head or other properly authorized officer of the originating Federal agency, explaining the nature, purpose, background, and effect of the proposed Executive order or proclamation and its relationship, if any, to pertinent laws and other Executive orders or proclamations.

(b) If the Director of the Bureau of the Budget [now Director of the Office of Management and Budget] approves the proposed Executive order or proclamation, he shall transmit it to the Attorney General for his consideration as to both form and legality.

(c) If the Attorney General approves the proposed Executive order or proclamation, he shall transmit it to the Director of the Office of the Federal Register, National Archives and Records Service, General Services Administration: *Provided*, that in cases involving sufficient urgency the Attorney General may transmit it directly to the President; and *provided further*, that the authority vested in the Attorney General by this section may be delegated by him, in whole or in part, to the Deputy Attorney General, Solicitor General, or

to such Assistant Attorney General as he may designate.

(d) After determining that the proposed Executive order or proclamation conforms to the requirements of Section 1 of this order and is free from typographical or clerical errors, the Director of the Office of the Federal Register shall transmit it and three copies thereof to the President.

(e) If the proposed Executive order or proclamation is disapproved by the Director of the Bureau of the Budget [now Director of the Office of Management and Budget] or by the Attorney General, it shall not thereafter be presented to the President unless it is accompanied by a statement of the reasons for such disapproval.

SEC. 3. *Routing and certification of originals and copies.* (a) If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Office of the Federal Register for publication in the FEDERAL REGISTER.

(b) The Office of the Federal Register shall cause to be placed upon the copies of all Executive orders and proclamations forwarded as provided in subsection (a) of this section the following notation, to be signed by the Director or by some person authorized by him to sign such notation: "Certified to be a true copy of the original."

SEC. 4. *Proclamations calling for the observance of special days or events.* Except as may be otherwise provided by law, responsibility for the preparation and presentation of proposed proclamations calling for the observance of special days, or other periods of time, or events shall be assigned by the Director of the Bureau of the Budget [now Director of the Office of Management and Budget] to such agencies as he may consider appropriate. Such proposed proclamations shall be submitted to the Director at least sixty days before the date of the specified observance.

SEC. 5. *Proclamations of treaties excluded.* Consonant with the provisions of section 12 of the Federal Register Act (49 Stat. 503; 44 U.S.C. 312) [now section 1511 of this title], nothing in this order shall be construed to apply to treaties, conventions, protocols, or other international agreements, or proclamations thereof by the President.

SEC. 6. *Definition.* The term "Presidential proclamations and Executive orders," as used in Section 5(a) of the Federal Register Act (44 U.S.C. 305(a)) [now subsec. (a) of this section], shall, except as the President or his representative may hereafter otherwise direct, be deemed to include such attachments thereto as are referred to in the respective proclamations or orders.

SEC. 7. *Prior order.* Upon its publication in the FEDERAL REGISTER, this order shall supersede Executive Order No. 10006 of October 9, 1948.

The regulations prescribed by this order shall be codified under Title 1 of the Code of Federal Regulations.

JOHN F. KENNEDY.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1502–1504, 1506, 1507 of this title.

§ 1506. Administrative Committee of the Federal Register; establishment and composition; powers and duties

The Administrative Committee of the Federal Register shall consist of the Archivist of the United States or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Federal Register shall act as secretary of the committee. The authority of the Administrator of General Services, under section 754 of title 40, to regroup, transfer, and distribute functions within the General Services Administration, does not extend to the Committee or its functions. The committee shall prescribe, with the approval of the President, regulations for carrying out this chapter. The regulations shall provide, among other things—

(1) the manner of certification of copies required to be certified under section 1503 of this title, which certification may be permitted to be based upon confirmed communications from outside the District of Columbia;

(2) the documents which shall be authorized under section 1505(b) of this title to be published in the Federal Register;

(3) the manner and form in which the Federal Register shall be printed, reprinted, and compiled, indexed, bound, and distributed;

(4) the number of copies of the Federal Register, which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees, of the United States, or Federal agency, for official use, and the number which shall be available for distribution to the public; and

(5) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes of it.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1275.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§ 306, 391 (part) (July 26, 1935, ch. 417, § 6, 49 Stat. 501; June 30, 1949, ch. 288, title I, § 104, 63 Stat. 381).

This section incorporates only the last sentence from former section 391(b). The remainder of that section will be found in sections 2102, 2301, 2501, and 2902 of the revision.

DELEGATION OF FUNCTIONS

For delegations of functions vested in the President by section 6 of the Federal Register Act [now this section], to the Attorney General and Administrator of General Services, see section 6(b) of Ex. Ord. No. 10530, May 11, 1954, 19 F.R. 2709, set out as a note under section 301 of Title 3, The President.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1504 of this title.

§ 1507. Filing document as constructive notice; publication in Federal Register as presumption of validity; judicial notice; citation

A document required by section 1505(a) of this title to be published in the Federal Register is not valid as against a person who has not had actual knowledge of it until the duplicate originals or certified copies of the document have been filed with the Office of the Federal Register and a copy made available for public inspection as provided by section 1503 of this title. Unless otherwise specifically provided by statute, filing of a document, required or authorized to be published by section 1505 of this title, except in cases where notice by publication is insufficient in law, is sufficient to give notice of the contents of the document to a person subject to or affected by it. The publication in the Federal Register of a document creates a rebuttable presumption—

(1) that it was duly issued, prescribed, or promulgated;

(2) that it was filed with the Office of the Federal Register and made available for public inspection at the day and hour stated in the printed notation;

(3) that the copy contained in the Federal Register is a true copy of the original; and

(4) that all requirements of this chapter and the regulations prescribed under it relative to the document have been complied with.

The contents of the Federal Register shall be judicially noticed and without prejudice to any other mode of citation, may be cited by volume and page number.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1276.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 307 (July 26, 1935, ch. 417, § 7, 49 Stat. 502).

§ 1508. Publication in Federal Register as notice of hearing

A notice of hearing or of opportunity to be heard, required or authorized to be given by an Act of Congress, or which may otherwise properly be given, shall be deemed to have been given to all persons residing within the States of the Union and the District of Columbia, except in cases where notice by publication is insufficient in law, when the notice is published in the Federal Register at such a time that the period between the publication and the date fixed in the notice for the hearing or for the termination of the opportunity to be heard is—

(1) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of Congress; or

(2) not less than fifteen days when time for publication is not specifically prescribed by the Act, without prejudice, however, to the effectiveness of a notice of less than fifteen days where the shorter period is reasonable.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1276.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 308 (July 26, 1935, ch. 417, § 8, 49 Stat. 502; June 25, 1959, Pub. L. 86–70, § 34, 73 Stat. 149; July 12, 1960, Pub. L. 86–624, § 33, 74 Stat. 421).

§ 1509. Cost of publication; appropriations authorized; penalty mail privilege

Payments made for the Federal Register shall be covered into the Treasury as miscellaneous receipts. The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this chapter shall be borne by the appropriations to the Government Printing Office and the appropriations are made available, and are authorized to be increased by additional sums necessary for the purposes, the increases to be based upon estimates submitted by the Public Printer.

Copies of the Federal Register mailed by the Government are entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1277.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 309 (July 26, 1935, ch. 417, § 9, 49 Stat. 502).

A reference to section 10 of Act June 19, 1934 is deleted because of the repeal of that section by Act June 30, 1949.

§ 1510. Code of Federal Regulations

(a) The Administrative Committee of the Federal Register, with the approval of the President, may require, from time to time as it considers necessary, the preparation and publication in special or supplemental editions of the Federal Register of complete codifications of the documents of each agency of the Government having general applicability and legal effect, issued or promulgated by the agency by publication in the Federal Register or by filing with the Administrative Committee, and are relied upon by the agency as authority for, or are invoked or used by it in the discharge of, its activities or functions, and are in effect as to facts arising on or after dates specified by the Administrative Committee.

(b) A codification published under subsection (a) of this section shall be printed and bound in permanent form and shall be designated as the "Code of Federal Regulations." The Administrative Committee shall regulate the binding of the printed codifications into separate books with a view to practical usefulness and economical manufacture. Each book shall contain an explanation of its coverage and other aids to users that the Administrative Committee may require. A general index to the entire Code of Federal Regulations shall be separately printed and bound.

(c) The Administrative Committee shall regulate the supplementation and the collation and republication of the printed codifications with a view to keeping the Code of Federal Regulations as current as practicable. Each book shall be either supplemented or collated and republished at least once each calendar year.

(d) The Office of the Federal Register shall prepare and publish the codifications, supplements, collations, and indexes authorized by this section.

(e) The codified documents of the several agencies published in the supplemental edition of the Federal Register under this section, as amended by documents subsequently filed with the Office and published in the daily issues of the Federal Register shall be prima facie evidence of the text of the documents and of the fact that they are in effect on and after the date of publication.

(f) The Administrative Committee shall prescribe, with the approval of the President, regulations for carrying out this section.

(g) This section does not require codification of the text of Presidential documents published and periodically compiled in supplements to Title 3 of the Code of Federal Regulations.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1277.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 311 (July 26, 1935, ch. 417, § 11, 49 Stat. 503; June 19, 1937, ch. 369, 50 Stat. 304; 1939 Reorg. Plan No. II, § 202, eff. July 1, 1939, 4 F.R. 2732, 53 Stat. 1435; Dec. 10, 1942, ch. 717, § 2, 56 Stat. 1045; June 30, 1949, ch. 288, title I, § 104(b), 63 Stat. 381; Aug. 5, 1953, ch. 333, 67 Stat. 388; Dec. 2, 1963, Pub. L. 88-190, § 1, 77 Stat. 343).

RETROACTIVE AND PROSPECTIVE APPLICATION

Pub. L. 88-190, § 2, Dec. 2, 1963, 77 Stat. 344, provided that: "Section 11 of the Federal Register Act [section 311 of former Title 44, Public Printing and Documents, now this section], as amended by the first section of this Act [amending subsecs. (b) to (d) and (g) of such section 311, now subsecs. (b) to (d) and (g) of this section], shall apply to the Code of Federal Regulations previously authorized and published as well as to future publications made pursuant to that section as so amended."

DELEGATION OF FUNCTIONS

For delegation of functions vested in the President by section 11(a) and (f) of the Federal Register Act [now subsecs. (a) and (f) of this section], to the Attorney General and Administrator of General Services, see section 6(b) of Ex. Ord. No. 10530, May 11, 1954, 19 F.R. 2709, set out as a note under section 301 of Title 3, The President.

CODIFICATION OF EXECUTIVE AND ADMINISTRATIVE DOCUMENTS

Under authority of section 11(d) of the Federal Register Act [now subsec. (d) of this section] the Administrative Committee of the Federal Register issued regulations for the codification of executive and administrative documents, approved by the President Nov. 10, 1937, and set out in F.R. 2849 D.I., 2450 B.V.

EX. ORD. NO. 9930. PUBLICATION OF 1949 EDITION OF THE CODE OF FEDERAL REGULATIONS

Ex. Ord. No. 9930, Feb. 4, 1948, 13 F.R. 519, provided:

WHEREAS the act of December 10, 1942, 56 Stat. 1045, suspended the provision of section 11(a) of the Federal Register Act [section 311(a) of former Title 44, Public Printing and Documents] as amended by the act of June 19, 1937 (50 Stat. 304; 44 U.S.C.A. 311(a) [now subsec. (a) of this section]), requiring the quinquennial preparation and the filing with the Administrative Committee of the Federal Register of the codification of certain classes of documents "until such time after the termination of the present war as the Administrative Committee of the Federal Register shall determine"; and

WHEREAS section 3 of Public Law 239, 80th Congress, 1st session, approved July 25, 1947 [Act July 25, 1947, ch. 327, § 3, 61 Stat. 451], provides that in the interpretation of the said act of December 10, 1942, the war shall be deemed to be terminated; and

WHEREAS on November 12, 1947, the suspension of the above-mentioned provision of section 11(a) of the Federal Register Act as amended [section 311(a) of former Title 44, Public Printing and Documents, now subsec. (a) of this section], was formally terminated by the Administrative Committee of the Federal Register, effective December 31, 1948; and

WHEREAS the required codification of documents in force and effect on December 31, 1948, will, under present procedures, be on file with the Administrative Committee of the Federal Register on that date; and

WHEREAS section 11(a) of the Federal Register Act as amended [section 311(a) of former Title 44, Public Printing and Documents, now subsec. (a) of this section] provides that the President may, after report thereon to him by the Administrative Committee, authorize and direct the publication of the codification required by that section in special or supplemental editions of the Federal Register; and

WHEREAS the Administrative Committee of the Federal Register has made an appropriate report to me with the recommendation that I authorize and direct the publication of the said codification of documents in force and effect on December 31, 1948; and

WHEREAS it is in the public interest and in the interest of efficient government that such codification be published:

NOW, THEREFORE, by virtue of the authority vested in me by section 11(a) of the Federal Register Act [section 311(a) of former Title 44, Public Printing and Documents, now subsec. (a) of this section], and as President of the United States, and subject to the appropriation by the Congress of funds therefor, the publication of the said codification as it is in force and effect on December 31, 1948, is hereby authorized and directed to be made in a special edition of the Federal Register dated January 1, 1949, and designated "Code of Federal Regulations, 1949 Edition."

All Federal agencies coming within the purview of the Federal Register Act [now this chapter] are requested to cooperate with the Division of the Federal Register, the National Archives, in carrying out the purposes of this order.

This order shall be published in the Federal Register.

HARRY S. TRUMAN.

§ 1511. International agreements excluded from provisions of chapter

This chapter does not apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1278.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 312 (July 26, 1935, ch. 417, § 12, 49 Stat. 503).

CHAPTER 17—DISTRIBUTION AND SALE OF PUBLIC DOCUMENTS

Sec.
1701. Publications for public distribution to be distributed by the Public Printer; mailing lists.
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FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

CROSS REFERENCES

Court of Customs and Patent Appeals opinions, publication by reporter of the Court, Secretary of Treasury (customs opinions), and Commissioner of Patents (patent and trade-mark opinions), see section 833 of Title 28, Judiciary and Judicial Procedure.

Customs Court decisions, publication by Secretary of Treasury, see section 255 of Title 28.

Distribution of reports and digests: Court of Claims decisions, see section 415 of Title 28; publications—distribution to courts, see section 413 of Title 28; sale of Supreme Court reports, see section 412 of Title 28; Supreme Court reports—printing, binding, and distribution, see section 411 of Title 28; transmittal of books to successors, see section 414 of Title 28.

National Fisheries Center and Aquarium: catalogs, brochures, etc.; distribution and sale by Secretary of Interior, see section 1052 of Title 16, Conservation.

Secretary of Agriculture: loan, rental, or sale of films, see section 2246 of Title 7, Agriculture; manufacture and sale of copies of bibliographies, photographic reproductions of books, and library supplies, see section 2244 of Title 7; sale of photographic prints and maps, see section 2243 of Title 7; sale of prints and lantern slides, see section 2245 of Title 7; Tax Court reports, sale of, see section 7462 of Title 26, Internal Revenue Code.

§ 1701. Publications for public distribution to be distributed by the Public Printer; mailing lists

Money appropriated by any Act may not be used for services in an executive department or other Government establishment at the District of Columbia, in the work of addressing, wrapping, mailing, or otherwise dispatching a publication for public distribution, except maps, weather reports, and weather cards issued by them or for the purchase of material or supplies to be used in this work. The Public Printer shall perform this work at the Government Printing Office. The head of an executive department, independent office, and establishment of the Government at the District of Columbia, shall furnish from time to time to the Public Printer mailing lists, in convenient form, and changes in them, or penalty mail slips, for use in the public distribution of publications issued by the department or establishment. The Public Printer may furnish copies of a publication only in accordance with law or the instruction of the head of the department or establishment issuing the publication.

This section does not apply to orders, instructions, directions, notices, or circulars of information printed for and issued by an executive department or other Government establishment or to the distribution of public documents by Senators or Members of the House of Representatives or to the Senate Service Department, House of Representatives Publications Distribution Service, and document rooms of the Senate or House of Representatives.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1278.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 95 (Aug. 23, 1912, ch. 350, § 8, 37 Stat. 414; July 2, 1954, ch. 455, title I, § 101, 68 Stat. 397).

"House of Representatives Publications Distribution Service" is substituted for "House Folding Room" because of the change of name under authority of Public Law 88-652.

The term "executive department, independent office, and establishment of the Government" is substituted for "executive department and other Government establishment" for uniformity.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1722 of this title.

§ 1702. Superintendent of Documents; sale of documents

The Public Printer shall appoint a competent person to act as Superintendent of Documents who shall be under the control of the Public Printer.

When an officer of the Government having in his charge documents published for sale desires to be relieved of them, he may turn them over to the Superintendent of Documents, who shall receive and sell them under this section. Moneys received from the sale of documents shall be returned to the Public Printer on the first day of each month and be covered into the Treasury monthly.

The Superintendent of Documents shall also report monthly to the Public Printer the number of documents received by him and the disposition made of them. He shall have general supervision of the distribution of all public documents, and to his custody shall be committed all documents subject to distribution, excepting those printed for the special official use of the executive departments, which shall be delivered to the departments, and those printed for the use of the two Houses of Congress, which shall be delivered to the Senate Service Department and House of Representatives Publications Distribution Service and distributed or delivered ready for distribution to Members upon their order by the superintendents of the Senate Service Department and House Publications Distribution Service, respectively.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1279.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§ 71, 73 (part) (Jan. 12, 1895, ch. 23, § 61, 28 Stat. 610; June 25, 1910, ch. 384, § 1, 36 Stat. 770; Aug. 7, 1946, ch. 770, § 1(62), 60 Stat. 871).

This section incorporates only part of former section 73. The balance will be found in section 308 of the revision.

"House of Representatives Publications Distribution Service" is substituted for "House Folding Room" because of the change of name under authority of Public Law 88-652.

CROSS REFERENCES

Copyrights, catalog of entries; distribution and sale, see section 707 of Title 17, Copyrights.

Economic Indicators, distribution, see section 1025 of Title 15, Commerce and Trade.

Prices for sales copies of publication, cost basis plus 50 percent and discounts, see section 1708 of this title.

Printing of reentry permits and blank forms of manifest and crew lists; sale to public, see section 1352 of Title 8, Aliens and Nationality.

Reprinting of documents required for sale, see section 1707 of this title.
Senate Service Department and House Publications Distribution Service, see section 740 of this title.
United States Statutes at Large, distribution, see section 728 of this title.

§ 1703. Superintendent of Documents: assistants, blanks, printing and binding

The Public Printer, upon the requisition of the Superintendent of Documents, shall appoint necessary assistants, furnish blanks, and do the printing and binding required by his office, the cost to be charged against the appropriation for printing and binding for Congress. The Public Printer shall provide convenient office, storage, and distributing rooms for the use of the Superintendent of Documents.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1279.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 74 (Jan. 12, 1895, ch. 23, § 66, 28 Stat. 611).

§ 1704. Superintendent of Documents: pay of employees for night, Sunday, holiday, and overtime work

Employees in the office of the Superintendent of Documents may be paid for night, Sunday, holiday, and overtime work at rates not in excess of the rates of additional pay for this work allowed other employees of the Government Printing Office under section 305 of this title.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1279.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 75 (Mar. 4, 1925, ch. 549, § 1, 43 Stat. 1300; May 13, 1926, ch. 294, § 1, 44 Stat. 552; Feb. 23, 1927, ch. 166, 44 Stat. 1160).

§ 1705. Printing additional copies for sale to public; regulations

The Public Printer shall print additional copies of a Government publication, not confidential in character, required for sale to the public by the Superintendent of Documents, subject to regulation by the Joint Committee on Printing and without interference with the prompt execution of printing for the Government.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1279.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 72 (May 11, 1922, ch. 189, § 1, 42 Stat. 541; June 30, 1932, ch. 314, § 307, 47 Stat. 409).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1504 of this title.

§ 1706. Printing and sale of extra copies of documents

The Public Printer shall furnish to applicants giving notice before the matter is put to press, not exceeding two hundred and fifty to any one applicant, copies of bills, reports, and documents. The applicants shall pay in advance the price of the printing. The printing of these copies for private parties may not interfere with the printing for the Government.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1279.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 114 (Jan. 12, 1895, ch. 23, § 42, 28 Stat. 607; June 30, 1932, ch. 314, § 307, 47 Stat. 409).

§ 1707. Reprinting of documents required for sale

The Superintendent of Documents may order reprinted, from time to time, public documents required for sale, subject to the approval of the Secretary or head of the department in which the public document originated. The appropriation for printing and binding shall be reimbursed for the cost of reprints from the moneys received by the Superintendent of Documents from the sale of public documents.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1280.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 79 (Mar. 28, 1904, No. 11, 33 Stat. 584).

§ 1708. Prices for sales copies of publications; crediting of receipts; resale by dealers; sales agents

The price at which additional copies of Government publications are offered for sale to the public by the Superintendent of Documents shall be based on the cost as determined by the Public Printer plus 50 percent. A discount of not to exceed 25 percent may be allowed to book dealers and quantity purchasers, but the printing may not interfere with prompt execution of work for the Government. Surplus receipts from sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

The Superintendent of Documents may prescribe terms and conditions under which he authorizes the resale of Government publications by book dealers, and he may designate any Government officer his agent for the sale of Government publications under regulations agreed upon by the Superintendent of Documents and the head of the respective department or establishment of the Government.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1280.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 72a (June 30, 1932, ch. 314, § 307, 47 Stat. 409).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1504 of this title.

§ 1709. Blank forms: printing and sale to public

The Public Printer may print for sale by the Superintendent of Documents to the public, upon prepayment, additional copies of approved Government blank forms.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1280.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 94 (June 7, 1924, ch. 303, § 1, 43 Stat. 592).

§ 1710. Index of documents: number and distribution

The Superintendent of Documents, at the close of each regular session of Congress, shall prepare and publish a comprehensive index of public documents, upon a plan approved by the Joint Committee on Printing. The Public Print-

er shall, immediately upon its publication, deliver to him a copy of every document printed by the Government Printing Office. The head of each executive department, independent agency and establishment of the Government shall deliver to him a copy of every document issued or published by the department, bureau, or office not confidential in character. He shall also prepare and print in one volume a consolidated index of Congressional documents, and shall index single volumes of documents as the Joint Committee on Printing directs. Two thousand copies each of the comprehensive index and of the consolidated index shall be printed and bound in addition to the usual number, two hundred for the Senate, eight hundred for the House of Representatives and one thousand for distribution by the Superintendent of Documents.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1280.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 76 (Jan. 12, 1895, ch. 23, § 62, 28 Stat. 610).

§ 1711. Catalog of Government publications

On the first day of each month the Superintendent of Documents shall prepare a catalog of Government publications which shall show the documents printed during the preceding month, where obtainable, and the price. Two thousand copies of the catalog shall be printed in pamphlet form for distribution.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1280.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 77 (Jan. 12 1895, ch. 23, § 69, 28 Stat. 612).

§ 1712. Documents for use of the Public Printer

The Public Printer may retain out of all documents, bills, and resolutions printed the number of copies absolutely needful for the official use of the Government Printing Office, not exceeding five of each.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1281.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 81 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 618).

§ 1713. Documents to be delivered to the Executive Mansion

The Public Printer shall deliver to the Executive Mansion two copies of each document, bill, and resolution as soon as printed and ready for distribution.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1281.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 80 (Jan. 12, 1895, ch. 23, § 88, 28 Stat. 622).

§ 1714. Publications for use of General Services Administration

The Public Printer shall print and deliver to the General Services Administration for use by the Archivist of the United States, including use by the Presidential Library established for the President during whose term the documents were issued, which shall be chargeable to Congress three copies each of the following publications:

House documents and public reports, bound;

Senate documents and public reports, bound;

Senate and House journals, bound;

United States Code and Supplements, bound;

United States Statutes at Large, bound;

the United States Reports, bound;

all other documents bearing a congressional number, or printed upon order of a committee in either House of Congress, or of a department, independent agency or establishment, commission, or officer of the Government, except confidential matter, blank forms, and circular letters not of a public character; and

public bills and resolutions in Congress in each parliamentary stage.

The Superintendent of Documents shall furnish, without cost, copies of publications available for free distribution.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1281.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 215a (Jan. 12, 1895, ch. 23, § —, as added June 17, 1935, ch. 267, 49 Stat. 386, and amended June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381).

§ 1715. Publications for department or officer or for congressional committees

When printing not bearing a congressional number, except confidential matter, blank forms, and circular letters not of a public character, is done for a department or officer of the Government, or not of a confidential character, is done for use of congressional committees, two copies shall be sent, unless withheld by order of the committee, by the Public Printer to the Senate and House of Representatives libraries, respectively, and one copy each to the document rooms of the Senate and House of Representatives, for reference; and these copies may not be removed.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1281.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 217 (part) (Jan. 12, 1895, ch. 23, § 58, 28 Stat. 610; Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014).

The last clause of this section is eliminated, as superseded by former section 85, now found in section 1903 of the revision.

§ 1716. Public documents for legations and consulates of United States

Only books published by the Government, and usually known by the name of "Public Documents," may be supplied to a legation or consulate of the United States as are first designated by the Secretary of State, by an order to be recorded in the State Department, as suitable for and required by the legation and consulate.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1281.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 91a (R.S. § 504).

§ 1717. Documents and reports for foreign legations

Documents and reports may be furnished to foreign legations to the United States upon request stating those desired and requisition upon the Public Printer by the Secretary of State. Gratuitous distribution may only be made to legations whose Governments furnish to legations from the United States copies of their printed and legislative documents desired.

Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1281.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 91 (Jan. 12, 1895, ch. 23, § 75, 28 Stat. 620).

§ 1718. Distribution of Government publications to the Library of Congress

There shall be printed and furnished to the Library of Congress for official use in the District of Columbia, and for international exchange as provided by section 1719 of this title, not to exceed one hundred and fifty copies of:

House documents and reports, bound;
Senate documents and reports, bound;
Senate and House journals, bound;
public bills and resolutions;
the United States Code and supplements, bound; and
all other publications and maps which are printed, or otherwise reproduced, under authority of law, upon the requisition of a Congressional committee, executive department, bureau, independent office, establishment, commission, or officer of the Government.

Confidential matter, blank forms, and circular letters not of a public character shall be excepted.

In addition, there shall be delivered as printed to the Library of Congress:

ten copies of each House document and report, unbound;
ten copies of each Senate document and report, unbound; and
ten copies of each private bill and resolution and fifty copies of the laws in slip form.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 139 (Jan. 28, 1899, No. 12, 30 Stat. 1388; Mar. 2, 1901, No. 16, §§ 1, 2, 31 Stat. 1464; June 20, 1936, ch. 630, title IV, § 6, 49 Stat. 1550).

Reference to the Official Register is omitted as obsolete. The authorization for its compilation was repealed by Public Law 88–626.

CROSS REFERENCES

American Printing House for the Blind, books for Library of Congress, see section 105 of Title 20, Education.

Geological Survey reports, distribution of two additional copies to the Library of Congress, see section 1318 of this title.

House and Senate documents and reports, distribution to the Library of Congress, see section 701 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 701, 906 of this title.

§ 1719. International exchange of Government publications

For the purpose of more fully carrying into effect the convention concluded at Brussels on March 15, 1886, and proclaimed by the President of the United States on January 15, 1889, there shall be supplied to the Library of Congress not to exceed one hundred and twenty-five copies each of all Government publications, including the daily and bound copies of the Congressional Record, for distribution, through the Smithsonian Institution, to foreign governments which agree to send to the United States similar publications of their governments for delivery to the Library of Congress.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed., § 139a (Mar. 2, 1901, No. 16, § 3, 31 Stat. 1465; Mar. 3, 1925, ch. 421, § 7, 43 Stat. 1106; June 20, 1936, ch. 630, title IV, § 6, 49 Stat. 1550).

REFERENCES IN TEXT

There were two conventions concluded at Brussels on Mar. 15, 1886, and proclaimed by the President on Jan. 15, 1889: one was a convention "for the international exchange of official documents, scientific, and literary publications"; the other was "for the immediate exchange of the official journals, parliamentary annals, and documents."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 701, 906, 1718 of this title.

§ 1720. Documents not needed by departments to be turned over to Superintendent of Documents

Public documents accumulating in the several executive departments, bureaus, and offices, not needed for official use, shall be turned over to the Superintendent of Documents annually for distribution or sale.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 78 (Jan. 12, 1895, ch. 23, § 67, 28 Stat. 611).

§ 1721. Exchange of documents by heads of departments

Heads of departments may exchange surplus documents for other documents and books required by them, when it is to the advantage of the public service.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 93 (Jan. 12, 1895, ch. 23, § 95, 28 Stat. 623).

§ 1722. Departmental distribution of publications

Government publications printed for or received by the executive departments, whether for official use or for distribution, except those required by section 1701 of this title to be distributed by the Public Printer, shall be distributed by a competent person detailed to this duty in each department by the head of the department. He shall prevent duplication and make detailed report to the head of the department.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 96 (Jan. 12, 1895, ch. 23, § 92, 28 Stat. 623; May 29, 1928, ch. 901, § 1(2), 45 Stat. 986).

CHAPTER 19—DEPOSITORY LIBRARY PROGRAM

Sec.

1901. Definition of Government publication.
1902. Availability of Government publications through Superintendent of Documents; lists of publications not ordered from Government Printing Office.
1903. Distribution of publications to depositories; notice to Government components; cost of printing and binding.
1904. Classified list of Government publications for selection by depositories.
1905. Distribution to depositories; designation of additional libraries; justification; authorization for certain designations.
1906. Land-grant colleges constituted depositories.
1907. Libraries of executive departments, service academies, and independent agencies constituted depositories; certifications of need; disposal of unwanted publications.
1908. American Antiquarian Society to receive certain publications.
1909. Requirements of depository libraries; reports on conditions; investigations; termination; replacement.
1910. Designations of replacement depositories; limitations on numbers; conditions.
1911. Free use of Government publications in depositories; disposal of unwanted publications.
1912. Regional depositories; designation; functions; disposal of publications.
1913. Appropriations for supplying depository libraries; restriction.
1914. Implementation of depository library program by Public Printer.
1915. Highest State appellate court libraries as depository libraries.

AMENDMENTS

1972—Pub. L. 92-368, § 1(b), Aug. 10, 1972, 86 Stat. 507, added item 1915.

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, Oct. 21, 1976, 90 Stat. 2727, set out as a note under section 2901 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 3317 of this title.

§ 1901. Definition of Government publication

"Government publication" as used in this chapter, means informational matter which is published as an individual document at Government expense, or as required by law.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1283.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 81a (Pub. L. 87-579, § 1, Aug. 9, 1962, 76 Stat. 352).

§ 1902. Availability of Government publications through Superintendent of Documents; lists of publications not ordered from Government Printing Office

Government publications, except those determined by their issuing components to be required for official use only or for strictly administrative or operational purposes which have no public interest or educational value and publications classified for reasons of national security, shall be made available to depository libraries through the facilities of the Superintendent of Documents for public information. Each component of the Government shall furnish the Superintendent of Documents a list of such publications it issued during the previous month, that were obtained from sources other than the Government Printing Office.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1283.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 81b (Pub. L. 87-579, § 1, Aug. 9, 1962, 76 Stat. 352).

§ 1903. Distribution of publications to depositories; notice to Government components; cost of printing and binding

Upon request of the Superintendent of Documents, components of the Government ordering the printing of publications shall either increase or decrease the number of copies of publications furnished for distribution to designated depository libraries and State libraries so that the number of copies delivered to the Superintendent of Documents is equal to the number of libraries on the list. The number thus delivered may not be restricted by any statutory limitation in force on August 9, 1962. Copies of publications furnished the Superintendent of Documents for distribution to designated depository libraries shall include—

the journals of the Senate and House of Representatives;

all publications, not confidential in character, printed upon the requisition of a congressional committee;

Senate and House public bills and resolutions; and

reports on private bills, concurrent or simple resolutions;

but not so-called cooperative publications which must necessarily be sold in order to be self-sustaining.

The Superintendent of Documents shall currently inform the components of the Government ordering printing of publications as to the number of copies of their publications required for distribution to depository libraries. The cost of printing and binding those publications distributed to depository libraries obtained elsewhere than from the Government Printing Office, shall be borne by components of the Government responsible for their issuance; those requisitioned from the Government Printing Office shall be charged to appropriations provided the Superintendent of Documents for that purpose.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1283.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 85 (part) (Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014; June 25, 1938, ch. 708, 52 Stat. 1206; Aug. 9, 1962, Pub. L. 87-579, § 5, 76 Stat. 354).

The last paragraph of former section 85 will be found in section 1906 of the revision.

§ 1904. Classified list of Government publications for selection by depositories

The Superintendent of Documents shall currently issue a classified list of Government publications in suitable form, containing annotations of contents and listed by item identification numbers to facilitate the selection of only those publications needed by depository libraries. The selected publications shall be distributed to depository libraries in accordance with regulations of the Superintendent of Documents, as long as they fulfill the conditions provided by law.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed. § 83 (R.S. § 502; Jan. 12, 1895, ch. 23, §§ 53, 61, 28 Stat. 608, 610; Aug. 9, 1962, Pub. L. 87-579, § 3, 76 Stat. 353).

§ 1905. Distribution to depositories; designation of additional libraries; justification; authorization for certain designations

The Government publications selected from lists prepared by the Superintendent of Documents, and when requested from him, shall be distributed to depository libraries specifically designated by law and to libraries designated by Senators, Representatives, and the Resident Commissioner from Puerto Rico, by the Commissioner of the District of Columbia, and by the Governors of Guam, American Samoa, and the Virgin Islands, respectively. Additional libraries within areas served by Representatives or the Resident Commissioner from Puerto Rico may be designated by them to receive Government publications to the extent that the total number of libraries designated by them does not exceed two within each area. Not more than two additional libraries within a State may be designated by each Senator from the State. Before an additional library within a State, congressional district or the Commonwealth of Puerto Rico is designated as a depository for Government publications, the head of that library shall furnish his Senator, Representative, or the Resident Commissioner from Puerto Rico, as the case may be, with justification of the necessity for the additional designation. The justification, which shall also include a certification as to the need for the additional depository library designation, shall be signed by the head of every existing depository library within the congressional district or the Commonwealth of Puerto Rico or by the head of the library authority of the State or the Commonwealth of Puerto Rico, within which the additional depository library is to be located. The justification for additional depository library designations shall be transmitted to the Superintendent of Documents by the Senator, Representative, or the Resident Commissioner from Puerto Rico, as the case may be. The Commissioner of the District of Columbia may designate two depository libraries in the District of Columbia, the Governor of Guam and the Governor of American Samoa may each designate one depository library in Guam and American Samoa, respectively, and the Governor of the Virgin Islands may designate one depository library on the island of Saint Thomas and one on the island of Saint Croix.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 82 (R.S. § 501; Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014; Aug. 9, 1962, Pub. L. 87-579, § 2, 76 Stat. 353).

TRANSFER OF FUNCTIONS

The office of Commissioner of the District of Columbia, as established under Reorg. Plan No. 3 of 1967, eff. Nov. 3, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1910 of this title; title 17 App. section 707.

§ 1906. Land-grant colleges constituted depositories

Land-grant colleges are constituted depositories to receive Government publications subject to the depository laws.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 85 (part) (Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014; June 25, 1938, ch. 708, 52 Stat. 1206; Aug. 9, 1962, Pub. L. 87-579, 76 Stat. 354).

This section is from the last paragraph of former section 85; the remainder of that section will be found in section 1903 of the revision.

§ 1907. Libraries of executive departments, service academies, and independent agencies constituted depositories; certifications of need; disposal of unwanted publications

The libraries of the executive departments, of the United States Military Academy, of the United States Naval Academy, of the United States Air Force Academy, of the United States Coast Guard Academy, and of the United States Merchant Marine Academy are designated depositories of Government publications. A depository library within each independent agency may be designated upon certification of need by the head of the independent agency to the Superintendent of Documents. Additional depository libraries within executive departments and independent agencies may be designated to receive Government publications to the extent that the number so designated does not exceed the number of major bureaus or divisions of the departments and independent agencies. These designations may be made only after certification by the head of each executive department or independent agency to the Superintendent of Documents as to the justifiable need for additional depository libraries. Depository libraries within executive departments and independent agencies may dispose of unwanted Government publications after first

offering them to the Library of Congress and the Archivist of the United States.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1285.

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 87 (Jan. 12, 1895, ch. 23, § 98, 28 Stat. 624; Aug. 9, 1962, Pub. L. 87-579, § 7, 76 Stat. 355).

§ 1908. American Antiquarian Society to receive certain publications

One copy of the public journals of the Senate and of the House of Representatives, and of the documents published under the orders of the Senate and House of Representatives, respectively, shall be transmitted to the Executive of the Commonwealth of Massachusetts for the use and benefit of the American Antiquarian Society of the Commonwealth.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1285.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 88 (Dec. 1, 1814, No. 7, 3 Stat. 248).

§ 1909. Requirements of depository libraries; reports on conditions; investigations; termination; replacement

Only a library able to provide custody and service for depository materials and located in an area where it can best serve the public need, and within an area not already adequately served by existing depository libraries may be designated by Senators, Representatives, the Resident Commissioner from Puerto Rico, the Commissioner of the District of Columbia, or the Governors of Guam, American Samoa, or the Virgin Islands as a depository of Government publications. The designated depository libraries shall report to the Superintendent of Documents at least every two years concerning their condition.

The Superintendent of Documents shall make firsthand investigation of conditions for which need is indicated and include the results of investigations in his annual report. When he ascertains that the number of books in a depository library is below ten thousand, other than Government publications, or it has ceased to be maintained so as to be accessible to the public, or that the Government publications which have been furnished the library have not been properly maintained, he shall delete the library from the list of depository libraries if the library fails to correct the unsatisfactory conditions within six months. The Representative or the Resident Commissioner from Puerto Rico in whose area the library is located or the Senator who made the designation, or a successor of the Senator, and, in the case of a library in the District of Columbia, the Commissioner of the District of Columbia, and, in the case of a library in Guam, American Samoa, or the Virgin Islands, the Governor, shall be notified and shall then be authorized to designate another library within the area served by him, which shall meet the conditions herein required, but which may not be in excess of the number of depository libraries authorized by laws within the State, district, territory, or the Commonwealth of Puerto Rico, as the case may be.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1285.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 86 (Jan. 12, 1895, ch. 23, § 70, 28 Stat. 612; Aug. 9, 1962, Pub. L. 87-579, § 6, 76 Stat. 354).

TRANSFER OF FUNCTIONS

The office of Commissioner of the District of Columbia, as established under Reorg. Plan No. 3 of 1967, eff. Nov. 3, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-161 of the District of Columbia Code.

§ 1910. Designations of replacement depositories; limitations on numbers; conditions

The designation of a library to replace a depository library, other than a depository library specifically designated by law, may be made only within the limitations on total numbers specified by section 1905 of this title, and only when the library to be replaced ceases to exist, or when the library voluntarily relinquishes its depository status, or when the Superintendent of Documents determines that it no longer fulfills the conditions provided by law for depository libraries.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1286.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 84 (June 23, 1913, ch. 3, § 5, 38 Stat. 75; Aug. 9, 1962, Pub. L. 87-579, § 4, 76 Stat. 353).

§ 1911. Free use of Government publications in depositories; disposal of unwanted publications

Depository libraries shall make Government publications available for the free use of the general public, and may dispose of them after retention for five years under section 1912 of this title, if the depository library is served by a regional depository library. Depository libraries not served by a regional depository library, or that are regional depository libraries themselves, shall retain Government publications permanently in either printed form or in microfacsimile form, except superseded publications or those issued later in bound form which may be discarded as authorized by the Superintendent of Documents.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1286.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 92 (part) (Jan. 12, 1895, ch. 23, § 74, 28 Stat. 620; June 20, 1936, ch. 630, title VII, § 11, 49 Stat. 1552; Aug. 9, 1962, Pub. L. 87-579, § 8, 76 Stat. 355).

The first sentence of section 92, is classified to section 1119; the remainder comprises this section of the revision.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1915 of this title.

§ 1912. Regional depositories; designation; functions; disposal of publications

Not more than two depository libraries in each State and the Commonwealth of Puerto Rico may be designated as regional deposi-

tories, and shall receive from the Superintendent of Documents copies of all new and revised Government publications authorized for distribution to depository libraries. Designation of regional depository libraries may be made by a Senator or the Resident Commissioner from Puerto Rico within the areas served by them, after approval by the head of the library authority of the State or the Commonwealth of Puerto Rico, as the case may be, who shall first ascertain from the head of the library to be so designated that the library will, in addition to fulfilling the requirements for depository libraries, retain at least one copy of all Government publications either in printed or microfacsimile form (except those authorized to be discarded by the Superintendent of Documents); and within the region served will provide interlibrary loan, reference service, and assistance for depository libraries in the disposal of unwanted Government publications. The agreement to function as a regional depository library shall be transmitted to the Superintendent of Documents by the Senator or the Resident Commissioner from Puerto Rico when the designation is made.

The libraries designated as regional depositories may permit depository libraries, within the areas served by them, to dispose of Government publications which they have retained for five years after first offering them to other depository libraries within their area, then to other libraries.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1286).

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 84a (Pub. L. 87–579, § 9, Aug. 9, 1962, 76 Stat. 355).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1911 of this title.

§ 1913. Appropriations for supplying depository libraries; restriction

Appropriations available for the Office of Superintendent of Documents may not be used to supply depository libraries documents, books, or other printed matter not requested by them, and their requests shall be subject to approval by the Superintendent of Documents.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1286.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 85a (June 27, 1956, ch. 453, § 101, 70 Stat. 369).

§ 1914. Implementation of depository library program by Public Printer

The Public Printer, with the approval of the Joint Committee on Printing, as provided by section 103 of this title, may use any measures he considers necessary for the economical and practical implementation of this chapter.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1287.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 81c (Pub. L. 87–579, § 10, Aug. 9, 1962, 76 Stat. 356).

§ 1915. Highest State appellate court libraries as depository libraries

Upon the request of the highest appellate court of a State, the Public Printer is authorized to designate the library of that court as a depository library. The provisions of section 1911 of this title shall not apply to any library so designated.

(Added Pub. L. 92–368, § 1(a), Aug. 10, 1972, 86 Stat. 507.)

CHAPTER 21—ARCHIVAL ADMINISTRATION

Sec.
2101. Definitions.
2102. Archivist of the United States.
2103. Acceptance of records for historical preservation.
2104. Responsibility for custody, use, and withdrawal of records.
2105. Preservation, arrangement, duplication, exhibition of records.
2106. Servicing records.
2107. Material accepted for deposit.
2108. Presidential archival depository.
2109. Depository for agreements between States.
2110. Preservation of motion-picture films, still pictures, and sound recordings.
2111. Reports; correction of violations.
2112. Legal status of reproductions; official seal; fees for copies and reproductions.
2113. Limitation on liability.
2114. Records of Congress.

CROSS REFERENCES

Accounting systems, forms, and procedures: authority of Comptroller General; settlement of accounts of collecting and disbursing officers with General Accounting Office, responsibility for, see section 3107 of this title.

Exemptions from provisions of this chapter, see section 474 of Title 40, Public Buildings, Property, and Works.

Federal agency management program to provide for compliance with this chapter and regulations thereunder, see section 3102 of this title.

Federal Records Council, consultation of Administrator of General Services with Council with view of obtaining advice and assistance in carrying out the purposes of this chapter, see section 2701 of this title.

Legal status of reproductions made under regulations to carry out this chapter, see section 2112 of this title.

Reports from Federal agencies on their activities under this chapter, authority of Administrator of General Services to obtain; correction of violations, see section 2111 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2701, 2901, 2902, 3107 of this title.

§ 2101. Definitions

As used in sections 2103–2113 of this title—

"Presidential archival depository" means an institution operated by the United States to house and preserve the papers and book of a President or former President of the United States, together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official or personal life;

"historical materials" including books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound re-

cordings, and other objects or materials having historical or commemorative value.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1287.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(j) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 12, 1962, ch. 703, § 1(o), (p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695; July 3, 1956, ch. 513, § 4, 70 Stat. 494; June 13, 1957, Pub. L. 85–51, 71 Stat. 69; Mar. 15, 1958, Pub. L. 85–341, § 1(1), 72 Stat. 34).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3102, 3317 of this title.

§ 2102. Archivist of the United States

The Administrator of General Services shall appoint the Archivist of the United States.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1287.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 391(a) (June 30, 1949, ch. 288, title I, § 104, 63 Stat. 381).

This section incorporates only the last sentence of paragraph (a) of former section 391. The balance of that section will be found in sections 1506, 2301, 2501, and 2902 of the revision.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3102, 3317 of this title.

§ 2103. Acceptance of records for historical preservation

When it appears to the Administrator of General Services to be in the public interest, he may—

(1) accept for deposit with the National Archives of the United States the records of a Federal agency or of the Congress determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the United States Government;

(2) direct and effect the transfer to the National Archives of the United States of records of a Federal agency that have been in existence for more than fifty years and determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the United States Government, unless the head of the agency which has custody of them certified in writing to the Administrator that they must be retained in his custody for use in the conduct of the regular current business of the agency;

(3) direct and effect, with the approval of the head of the originating agency, or if the existence of the agency has been terminated, then with the approval of his successor in function, if any, the transfer of records, deposited or approved for deposit with the National Archives of the United States to public or educational institutions or associations; title to the records to remain vested in the United States unless otherwise authorized by Congress; and

(4) transfer materials from private sources authorized to be received by the Administrator by section 2107 of this title.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1287; Pub. L. 94–575, § 4(a), Oct. 21, 1976, 90 Stat. 2727.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(a) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583; and amended July 12, 1952, ch. 703, § 1(o), (p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695; July 3, 1956, ch. 513, § 4, 70 Stat. 494; June 13, 1957, Pub. L. 85–51, 71 Stat. 69).

AMENDMENTS

1976—Pub. L. 94–575 substituted in cl. (4) reference to section "2107" for "3108".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102, 3317 of this title; title 36 section 138.

§ 2104. Responsibility for custody, use, and withdrawal of records

The Administrator of General Services shall be responsible for the custody, use, and withdrawal of records transferred to him. When records, the use of which is subject to statutory limitations and restrictions, are so transferred, permissive and restrictive statutory provisions with respect to the examination and use of records applicable to the head of the agency from which the records were transferred or to employees of that agency are applicable to the Administrator, the Archivist of the United States, and to the employees of the General Services Administration, respectively. When the head of an agency states in writing restrictions that appear to him to be necessary or desirable in the public interest on the use or examination of records being considered for transfer from his custody to the Administrator, the Administrator shall impose the restrictions on the records so transferred, and may not remove or relax the restrictions without the concurrence in writing of the head of the agency from which the material was transferred, or of his successor in function, if any. Statutory and other restrictions referred to in this section shall remain in force until the records have been in existence for fifty years unless the Administrator by order determines as to specific bodies of records that the restrictions shall remain in force for a longer period. Restriction on the use or examination of records deposited with the National Archives of the United States imposed by section 3 of the National Archives Act, approved June 19, 1934, shall continue in force regardless of the expiration of the tenure of office of the official who imposed them but may be removed or relaxed by the Administrator with the concurrence in writing of the head of the agency from which material was transferred or of his successor in function, if any.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1288.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(b) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

REFERENCES IN TEXT

Section 3 of the National Archives Act, approved June 19, 1934, referred to in text, was classified to section 300c of former Title 44, Public Printing and Documents, and was repealed by act June 30, 1949, ch. 288, title VI, § 602(a)(32), renumbered and added Sept. 5, 1950, ch. 849, § 7(d), 64 Stat. 590.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102, 3317 of this title.

§ 2105. Preservation, arrangement, duplication, exhibition of records

The Administrator of General Services shall provide for the preservation, arrangement, repair and rehabilitation, duplication and reproduction (including microcopy publications), description, and exhibition of records or other documentary material transferred to him as may be needful or appropriate, including the preparation and publication of inventories, indexes, catalogs, and other finding aids or guides to facilitate their use. He may also prepare guides and other finding aids to Federal records and, when approved by the National Historical Publications Commission, publish such historical works and collections of sources as seem appropriate for printing or otherwise recording at the public expense.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1288.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(c) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583; July 12, 1952, ch. 703, § 1(o), 66 Stat. 594).

CHANGE OF NAME

The name of the National Historical Publications Commission was changed to the National Historical Publications and Records Commission by Pub. L. 93–536, Dec. 22, 1974, 88 Stat. 1734. See section 2501 et seq. of this title.

EX. ORD. NO. 11440. SUPPLEMENTAL USE OF EXHIBITS AND DISPLAYS CREATED IN FUTHERANCE OF AUTHORIZED PROGRAMS OF EXECUTIVE DEPARTMENTS AND AGENCIES

Ex. Ord. No. 11440, Dec. 11, 1968, 33 F.R. 18475, provided:

WHEREAS the executive departments and agencies of the Government, in discharging their various responsibilities, create a large volume of materials (including books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects of historical or commemorative value) which from time to time are incorporated into or reproduced for use in exhibits or other types of visual displays needed for use in carrying out their programs; and

WHEREAS under Chapter 21 of Title 44, United States Code, the Administrator of General Services is authorized to accept for deposit in the National Archives of the United States the records of any Federal agency or of the Congress of the United States that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government, as well as the papers and other historical materials of any official or former official of the Government, and to make provisions for the exhibition of materials transferred to him; and.

WHEREAS many of the exhibits and displays so prepared, produced, or otherwise created by the executive departments and agencies possess historical significance which warrants their preservation and exhibition as part of the archival and cultural heritage of the United States:

NOW, THEREFORE, by virtue of the authority vested in me, as President of the United States, it is hereby ordered as follows:

SECTION 1. The heads of all executive departments and agencies are directed—

(a) when initiating plans for the preparation, production, or other creation of exhibits and displays in furtherance of their program missions, to confer with the Administrator of General Services, or his designee, for the purpose of assuring that any such exhibits or displays which the Administrator finds appropriate for supplemental exhibition as part of the archival and cultural heritage of the United States are prepared, produced, or otherwise created in a manner which assures, to the maximum possible extent, their appropriateness, after they have served their primary program purpose, for such supplemental exhibition, and

(b) to transfer to the Administrator, without reimbursement, such exhibits or displays as he determines are appropriate for such supplemental exhibition after they have served their primary program purpose, subject to such conditions requiring return to the department or agency of all or any of the materials incorporated in the exhibits or displays as may be mutually agreeable.

SEC. 2. The Administrator of General Services is directed to—

(a) provide advice, counsel, and assistance to the heads of executive departments and agencies in the preparation, production, or other creation of exhibits and displays which he finds will have future value for exhibition as part of the archival and cultural heritage of the United States; and

(b) accept any such exhibit or display when it has served its primary program purpose and (1) arrange for its supplemental exhibition as appropriate, (2) preserve any such exhibit or display which possesses sufficient historical or other value to warrant continued preservation, or (3) dispose of any such exhibit or display when, in his judgment, the reasons for its continued preservation or exhibition cease to exist, all subject to the conditions agreed upon incident to transfer to the Administrator of General Services of the exhibit or display.

LYNDON B. JOHNSON.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102, 3317 of this title.

§ 2106. Servicing records

The Administrator of General Services shall provide and maintain facilities he considers necessary or desirable for servicing records in his custody that are not exempt from examination by statutory or other restrictions.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1288.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(d) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102, 3317 of this title.

§ 2107. Material accepted for deposit

When the Administrator of General Services considers it to be in the public interest he may accept for deposit—

(1) the papers and other historical materials of a President or former President of the United States, or other official or former offi-

cial of the Government, and other papers relating to and contemporary with a President or former President of the United States, subject to restrictions agreeable to the Administrator as to their use; and

(2) documents, including motion-picture films, still pictures, and sound recordings, from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1288.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code 1964 ed., § 397(e) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583; July 12, 1952, ch. 703, § 1(p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695).

PRESIDENTIAL RECORDINGS AND MATERIALS PRESERVATION ACT

Pub. L. 93-526, title I, §§ 101 to 106, Dec. 19, 1974, 88 Stat. 1695-1698, provided:

"That this Act [enacting this note, sections 3315 to 3324 of this title, and provisions set out as a note under section 3315 of this title] may be cited as the 'Presidential Recordings and Materials Preservation Act'.

"TITLE I—PRESERVATION OF PRESIDENTIAL RECORDINGS AND MATERIALS

"DELIVERY AND RETENTION OF CERTAIN PRESIDENTIAL MATERIALS

"Sec. 101. (a) Notwithstanding any other law or any agreement or understanding made pursuant to section 2107 of title 44, United States Code any Federal employee in possession shall deliver, and the Administrator of General Services (hereinafter in this title referred to as the 'Administrator') shall receive, obtain, or retain, complete possession and control of all original tape recordings of conversations which were recorded or caused to be recorded by any officer or employee of the Federal Government and which—

"(1) involve former President Richard M. Nixon or other individuals who, at the time of the conversation, were employed by the Federal Government;

"(2) were recorded in the White House or in the office of the President in the Executive Office Buildings located in Washington, District of Columbia; Camp David, Maryland; Key Biscayne, Florida; or San Clemente, California; and

"(3) were recorded during the period beginning January 20, 1969, and ending August 9, 1974.

"(b)(1) Notwithstanding any other law or any agreement or understanding made pursuant to section 2107 of title 44, United States Code, the Administrator shall receive, retain, or make reasonable efforts to obtain, complete possession and control of all papers, documents, memorandums, transcripts, and other objects and materials which constitute the Presidential historical materials of Richard M. Nixon, covering the period beginning January 20, 1969, and ending August 9, 1974.

"(2) For purposes of this subsection, the term 'historical materials' has the meaning given it by section 2101 of title 44, United States Code.

"AVAILABILITY OF CERTAIN PRESIDENTIAL MATERIALS

"Sec. 102. (a) None of the tape recordings or other materials referred to in section 101 shall be destroyed, except as hereafter may be provided by law.

"(b) Notwithstanding any other provision of this title, any other law, or any agreement or understanding made pursuant to section 2107 of title 44, United States Code, the tape recordings and other materials referred to in section 101 shall, immediately upon the date of enactment of this title, be made available, subject to any rights, defenses, or privileges which the Federal Government or any person may invoke, for use in any judicial proceeding or otherwise subject to court subpena or other legal process. Any request by the Office of Watergate Special Prosecution Force, whether by court subpena or other lawful process, for access to such recordings or materials shall at all times have priority over any other request for such recordings or materials.

"(c) Richard M. Nixon, or any person whom he may designate in writing, shall at all times have access to the tape recordings and other materials referred to in section 101 for any purpose which is consistent with the provisions of this title, subsequent and subject to the regulations which the Administrator shall issue pursuant to section 103.

"(d) Any agency or department in the executive branch of the Federal Government shall at all times have access to the tape recordings and other materials referred to in section 101 for lawful Government use, subject to the regulations which the Administrator shall issue pursuant to section 103.

"REGULATIONS TO PROTECT CERTAIN TAPE RECORDINGS AND OTHER MATERIALS

"Sec. 103. The Administrator shall issue at the earliest possible date such regulations as may be necessary to assure the protection of the tape recordings and other materials referred to in section 101 from loss or destruction, and to prevent access to such recordings and materials by unauthorized persons. Custody of such recordings and materials shall be maintained in Washington, District of Columbia, or its metropolitan area, except as may otherwise be necessary to carry out the provisions of this title.

"REGULATIONS RELATING TO PUBLIC ACCESS

"Sec. 104. (a) The Administrator shall, within ninety days after the date of enactment of this title [Dec. 19, 1974], submit to each House of the Congress a report proposing and explaining regulations that would provide public access to the tape recordings and other materials referred to in section 101. Such regulations shall take into account the following factors:

"(1) the need to provide the public with the full truth, at the earliest reasonable date, of the abuses of governmental power popularly identified under the generic term 'Watergate';

"(2) the need to make such recordings and materials available for use in judicial proceedings;

"(3) the need to prevent general access, except in accordance with appropriate procedures established for use in judicial proceedings to information relating to the Nation's security;

"(4) the need to protect every individual's right to a fair and impartial trial;

"(5) the need to protect any party's opportunity to assert any legally or constitutionally based right or privilege which would prevent or otherwise limit access to such recordings and materials;

"(6) the need to provide public access to those materials which have general historical significance, and which are not likely to be related to the need described in paragraph (1); and

"(7) the need to give to Richard M. Nixon, or his heirs, for his sole custody and use, tape recordings and other materials which are not likely to be related to the need described in paragraph (1) and are not otherwise of general historical significance.

"(b)(1) The regulations proposed by the Administrator in the report required by subsection (a) shall take effect upon the expiration of ninety legislative days after the submission of such report, unless such regulations are disapproved by a resolution adopted by either House of the Congress during such period.

"(2) The Administrator may not issue any regulation or make any change in a regulation if such regulation or change is disapproved by either House of the Congress under this subsection.

"(3) The provisions of this subsection shall apply to any change in the regulations proposed by the Admin-

istrator in the report required by subsection (a). Any proposed change shall take into account the factors described in paragraph (1) through paragraph (7) of subsection (a), and such proposed change shall be submitted by the Administrator in the same manner as the report required by subsection (a).

"(4) Paragraph (5) is enacted by the Congress—

"(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(B) with full recognition of the constitutional right of either House to change such rules (as far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

"(5)(A) Any resolution introduced under paragraph (1) shall be referred to a committee by the Speaker of the House or by the President of the Senate, as the case may be.

"(B) If the committee to which any such resolution is referred has not reported any resolution relating to any regulation or change proposed by the Administrator under this section before the expiration of sixty calendar days after the submission of any such proposed regulation or change, it shall then be in order to move to discharge the committee from further consideration of such resolution.

"(C) Such motion may be made only by a person favoring the resolution, and such motion shall be privileged. An amendment to such motion is not in order, and it is not in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(D) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed.

"(E) When the committee has reported, or has been discharged from further consideration of, a resolution introduced under paragraph (1), it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be privileged. An amendment to such motion is not in order, and it is not in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(6) For purposes of this subsection, the term 'legislative days' does not include any calendar day on which both Houses of the Congress are not in session.

"(c) The provisions of this title shall not apply, on and after the date upon which regulations proposed by the Administrator take effect under subsection (b), to any tape recordings or other materials given to Richard M. Nixon, or his heirs, pursuant to subsection (a)(7).

"(d) The provisions of this title shall not in any way affect the rights, limitations or exemptions applicable under the Freedom of Information Act, 5 U.S.C. § 552 et seq.

"JUDICIAL REVIEW

"Sec. 105. (a) The United States District Court for the District of Columbia shall have exclusive jurisdiction to hear challenges to the legal or constitutional validity of this title or of any regulation issued under the authority granted by this title, and any action or proceeding involving the question of title, ownership, custody, possession, or control of any tape recording or material referred to in section 101 or involving payment of any just compensation which may be due in connection therewith. Any such challenge shall be treated by the court as a matter requiring immediate consideration and resolution, and such challenge shall have priority on the docket of such court over other cases.

"(b) If, under the procedures established by subsection (a), a judicial decision is rendered that a particular provision of this title, or a particular regulation issued under the authority granted by this title, is unconstitutional or otherwise invalid, such decision shall not affect in any way the validity or enforcement of any other provision of this title or any regulation issued under the authority granted by this title.

"(c) If a final decision of such court holds that any provision of this title has deprived an individual of private property without just compensation, then there shall be paid out of the general fund of the Treasury of the United States such amount or amounts as may be adjudged just by that Court.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 106. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this title."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 2103, 2108, 3102, 3317 of this title.

§ 2108. Presidential archival depository

(a) When the Administrator of General Services considers it to be in the public interest he may accept, for and in the name of the United States, land, buildings, and equipment offered as a gift to the United States for the purposes of creating a Presidential archival depository, and take title to the land, buildings, and equipment on behalf of the United States, and maintain, operate, and protect them as a Presidential archival depository, and as part of the national archives system; and make agreements, upon terms and conditions he considers proper, with a State, political subdivision, university, institution of higher learning, institute, or foundation to use as a Presidential archival depository land, buildings, and equipment of the State, subdivision, university, or other organization, to be made available by it without transfer of title to the United States, and maintain, operate, and protect the depository as a part of the national archives system.

The Administrator shall submit a report in writing on a proposed Presidential archival depository to the President of the Senate and the Speaker of the House of Representatives, and include—

a description of the land, buildings, and equipment offered as a gift or to be made available without transfer of title;

a statement of the terms of the proposed agreement, if any;

a general description of the types of paper, documents, or other historical materials proposed to be deposited in the Presidential archival depository so to be created, and of the terms of the proposed deposit;

a statement of the additional improvements and equipment, if any, necessary to the satisfactory operation of the depository, together with an estimate of the cost; and

an estimate of the annual cost to the United States of maintaining, operating, and protecting the depository.

The Administrator may not take title to land, buildings, and equipment or make an agreement, until the expiration of the first period of 60 calendar days of continuous session of the Congress following the date on which the report is transmitted, computed as follows:

Continuity of session is broken only by an adjournment sine die, but the days on which either House is not in session because of an ad-

journment of more than three days to a day certain are excluded.

(b) When the Administrator considers it to be in the public interest, he may deposit in a Presidential archival depository papers, documents, or other historical materials accepted under section 2107 of this title, or Federal records appropriate for preservation.

(c) When the Administrator considers it to be in the public interest, he may exercise, with respect to papers, documents, or other historical materials deposited under this section, or otherwise, in a Presidential archival depository, all the functions and responsibilities otherwise vested in him pertaining to Federal records or other documentary materials in his custody or under his control. The Administrator, in negotiating for the deposit of Presidential historical materials, shall take steps to secure to the Government, as far as possible, the right to have continuous and permanent possession of the materials. Papers, documents, or other historical materials accepted and deposited under section 2107 of this title and this section are subject to restrictions as to their availability and use stated in writing by the donors or depositors, including the restriction that they shall be kept in Presidential archival depository. The restrictions shall be respected for the period stated, or until revoked or terminated by the donors or depositors or by persons legally qualified to act on their behalf. Subject to the restrictions, the Administrator may dispose by sale, exchange, or otherwise, of papers, documents, or other materials which the Archivist determines to have no permanent value or historical interest or to be surplus to the needs of a Presidential archival depository.

(d) When the Administrator considers it to be in the public interest, he may cooperate with and assist a university, institution of higher learning, institute, foundation, or other organization or qualified individual to further or to conduct study or research in historical materials deposited in a Presidential archival depository.

(e) When the Administrator considers it to be in the public interest, he may charge and collect reasonable fees for the privilege of visiting and viewing exhibit rooms or museum space in a Presidential archival depository.

(f) When the Administrator considers it to be in the public interest, he may provide reasonable office space in a Presidential archival depository for the personal use of a former President of the United States.

(g) When the Administrator considers it be in the public interest, he may accept gifts or bequests of money or other property for the purpose of maintaining, operating, protecting, or improving a Presidential archival depository. The proceeds of gifts or bequests, together with the proceeds from fees or from sales of historical materials, copies or reporductions, catalogs, or other items, having to do with a Presidential archival depository, shall be paid into the National Archives Trust Fund to be held, administered, and expended for the benefit and in the interest of the Presidential archival depository in connection with which they were received, including administrative and custodial expenses as the Administrator determines.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1289; Pub. L. 94–575, § 4(a), Oct. 21, 1976, 90 Stat. 2727.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(f) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583; and amended July 12, 1952, ch. 703, § 1(o), (p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695).

AMENDMENTS

1976—Subsecs. (b), (c). Pub. L. 94-575 substituted reference to section "2107" for "3106" in subsecs. (b) and (c).

JOHN FITZGERALD KENNEDY LIBRARY

Pub. L. 89-547, Aug. 27, 1966, 80 Stat. 370, provided: "That the Administrator of General Services is hereby authorized to accept title to the structure or structures to be erected and equipped at Cambridge, Massachusetts, by the John Fitzgerald Kennedy Library, Incorporated, to be transferred to the United States Government, without reimbursement, for use as a Presidential archival depository to be known as the John Fitzgerald Library, and to maintain, operate, and protect such depository as a part of the National Archives system. The Administrator may enter into such agreements with the officers of the John Fitzgerald Kennedy Library, Incorporated, as are necessary to complete the transfer of title to the United States and may do so without regard to the provision of section 507(f)(1) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. [former] 397(f)(1) [now subsec. (a) of this section], that the Administrator shall not enter into any such agreement until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which a report in writing of any such proposed Presidential archival depository is transmitted by the Administrator to the President of the Senate and the Speaker of the House of Representatives."

LYNDON BAINES JOHNSON PRESIDENTIAL ARCHIVAL DEPOSITORY

Pub. L. 89-169, Sept. 6, 1965, 79 Stat. 648, provided: "That the Administrator of General Services is hereby authorized to enter into an agreement upon such terms and conditions as he determines proper with the University of Texas to utilize as the Lyndon Baines Johnson Archival Depository, land, buildings, and equipment of such university to be made available by it without transfer of title to the United States, and to maintain, operate and protect such depository as a part of the National Archives system. Such agreement may be entered into without regard to the provisions of section 507(f)(1) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. [former] 397(f)(1)) [now subsec. (a) of this section], that the Administrator shall not enter into any such agreement until the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which a report in writing of any such proposed Presidential archival depository is transmitted by the Administrator to the President of the Senate and the Speaker of the House of Representatives."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102, 3317 of this title.

§ 2109. Depository for agreements between States

The Administrator of General Services may receive duplicate originals or authenticated copies of agreements or compacts entered into under the Constitution and laws of the United States, between States of the Union, and take

necessary actions for their preservation and servicing.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1290.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(h) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 12, 1952, ch. 703, § 1(o), (p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695; July 3, 1956, ch. 513, § 4, 70 Stat. 494; June 13, 1957, Pub. L. 85–51, 71 Stat. 69; Mar. 15, 1958, Pub. L. 85–341, § 1(1), 72 Stat. 34).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102 of this title.

§ 2110. Preservation of motion-picture films, still pictures, and sound recordings

The Administrator of General Services may make and preserve motion-picture films, still pictures, and sound recordings pertaining to and illustrative of the historical development of the United States Government and its activities, and provide for preparing, editing, titling, scoring, processing, duplicating, reproducing, exhibiting, and releasing for non-profit educational purposes, motion-picture films, still pictures, and sound recordings in his custody.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1290.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(i) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583; and amended July 12, 1952, ch. 703, § 1(o), (p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695; July 3, 1956, ch. 513, § 4, 70 Stat. 494; June 13, 1957, Pub. L. 85–51, 71 Stat. 69; Mar. 15, 1958, Pub. L. 85–341, § 1(1), 72 Stat. 34).

CROSS REFERENCES

Secretary of Agriculture—
Loan, rental or sale of films, see section 2246 of Title 7, Agriculture.
Sale of photographic prints and maps, see section 2243 of Title 7.
Sale of prints and lantern slides, see section 2245 of Title 7.
Secretary of Health, Education, and Welfare, establishment of loan service of captioned films and educational media for handicapped, see section 1451 et seq. of Title 20, Education.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102 of this title.

§ 2111. Reports; correction of violations

(a) When the Administrator of General Services considers it necessary, he may obtain reports from Federal agencies on their activities under chapters 21, 25, 27, 29, 31, and 33 of this title.

(b) When the Administrator finds that a provision of chapter 21, 25, 27, 29, 31, or 33 of this title has been or is being violated, he shall inform in writing the head of the agency concerned of the violation and make recommendations for its correction. Unless corrective measures satisfactory to the Administrator are inaugurated within a reasonable time, the Administrator shall submit a written report of the matter to the President and the Congress.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1290; Pub. L. 94–575, § 4(b), Oct. 21, 1976, 90 Stat. 2727.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 398 (June 30, 1949, ch. 288, title V, § 508, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

AMENDMENTS

1976—Subsec. (b). Pub. L. 94–575 included reference to chapter 33 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102 of this title.

§ 2112. Legal status of reproductions; official seal; fees for copies and reproductions

(a) When records that are required by statute to be retained indefinitely have been reproduced by photographic, microphotographic, or other processes, in accordance with standards established by the Administrator of General Services the indefinite retention by the photographic, microphotographic, or other reproductions constitutes compliance with the statutory requirement for the indefinite retention of the original records. The reproductions, as well as reproductions made under regulations to carry out chapter 21, 29 31, and 33 of this title, shall have the same legal status as the originals.

(b) There shall be an official seal for the National Archives of the United States which shall be judicially noticed. When a copy or reproduction, furnished under this section, is authenticated by the official seal and certified by the Administrator, the copy or reproduction shall be admitted in evidence equally with the original from which it was made.

(c) The Administrator may charge a fee not in excess of 10 percent above the costs or expenses for making or authenticating copies or reproductions of materials transferred to his custody. Fees shall be paid into, administered, and expended as a part of the National Archives Trust Fund. He may not charge for making or authenticating copies or reproductions of materials for official use by the United States Government. Reimbursement may be accepted to cover the cost of furnishing copies or reproductions that could not otherwise be furnished.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1291; Pub. L. 94–575, § 4(b), Oct. 21, 1976, 90 Stat. 2727.).

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 399 (June 30, 1949, ch. 288, title V, § 509, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

AMENDMENTS

1976—Subsec. (a). Pub. L. 94–575 included reference to chapter 33 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102 of this title; title 25 section 199a.

§ 2113. Limitation on liability

When letters and other intellectual productions, exclusive of material copyrighted or pat-

ented, come into the custody or possession of the Administrator of General Services, the United States or its agents are not liable for infringement of literary property rights or analogous rights arising out of use of the materials for display, inspection, research, reproduction, or other purposes.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1291.)

AMENDMENT EFFECTIVE JANUARY 1, 1978

Pub. L. 94-553, §§ 102, 105(b), Oct. 19, 1976, 90 Stat. 2598, 2599, provided that effective Jan. 1, 1978, section 2113 of this title will read as follows:

"§ 2113. Limitation on liability

"When letters and other intellectual productions (exclusive of patented material, published works under copyright protection, and unpublished works for which copyright registration has been made) come into the custody or possession of the Administrator of General Services, the United States or its agents are not liable for infringement of copyright or analogous rights arising out of use of the materials for display, inspection, research, reproduction, or other purposes."

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 400 (June 30, 1949, ch. 288, title V, § 510, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2101, 3102 of this title.

§ 2114. Records of Congress

The Secretary of the Senate and the Clerk of the House of Representatives, acting jointly, shall obtain at the close of each Congress all the noncurrent records of the Congress and of each congressional committee and transfer them to the General Services Administration for preservation, subject to the orders of the Senate or the House of Representatives, respectively.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1291.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 402 (Aug. 2, 1946, ch. 753, title I, § 140, 60 Stat. 833).

CHAPTER 23—NATIONAL ARCHIVES TRUST FUND BOARD

Sec.
2301. Establishment of Board; membership.
2302. Authority of Board; seal; employees; bylaws, rules, regulations.
2303. Powers and obligations of Board; liability of members.
2304. Compensation of members; availability of trust funds for expenses of Board.
2305. Acceptance of gifts.
2306. Investment of funds.
2307. Trust fund account; disbursements; sales of publications and releases.
2308. Tax exemption for gifts.

§ 2301. Establishment of Board; membership

The National Archives Trust Fund Board shall consist of the Archivist of the United States, as Chairman, and the chairman of the House of Representatives Committee on Government Operations and the chairman of the Senate Committee on Post Office and Civil Service. The authority of the Administrator of General Services under section 754 of title 40 to regroup, transfer, and distribute functions within the General Services Administration does not extend to the Board or its functions. Membership on the Board is not an office within the meaning of the statutes of the United States.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1292; Pub. L. 94-391, Aug. 19, 1976, 90 Stat. 1192.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§ 300bb, 391 (part) (July 9, 1941, ch. 284, § 2, 55 Stat. 581; Aug. 2, 1946, ch. 753, title I, §§ 102, 121, 60 Stat. 814, 822; June 30, 1949, ch. 288, title I, § 104, 63 Stat. 381).

This section incorporates only the last sentence of paragraph (b) of former section 391. The balance of that section will be found in sections 1506, 2102, 2501, and 2902 of the revision.

AMENDMENTS

1976—Pub. L. 94-391 substituted reference to House Committee on Government Operations for reference to House Committee on Post Office and Civil Service.

CHANGE OF NAME

The Committee on Post Office and Civil Service of the Senate was abolished effective Feb. 11, 1977. See Rule XXV of the Standing Rules of the Senate, as amended by Senate Resolution 4 (popularly cited as "the Committee System Reorganization Amendments of 1977"), approved Feb. 4, 1977.

§ 2302. Authority of Board; seal; employees; bylaws, rules, regulations

In carrying out the purposes of this chapter, the Board may—

(1) adopt an official seal, which shall be judicially noticed;

(2) appoint, or authorize the Chairman to appoint, without regard to the civil-service laws, necessary employees, and fix their duties; and

(3) adopt bylaws, rules, and regulations necessary for the administration of its functions under this chapter.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1292.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 300hh (July 9, 1941, ch. 284, § 8, 55 Stat. 582).

REFERENCES IN TEXT

The civil-service laws, referred to in par. (2), are set out in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of that title.

§ 2303. Powers and obligations of Board; liability of members

The Board shall have all the usual powers and obligations of a trustee with respect to property and funds administered by it, but the members of the Board are not personally liable, except for malfeasance.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1292.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 300ff (July 9, 1941, ch. 284, § 6, 55 Stat. 582).

§ 2304. Compensation of members; availability of trust funds for expenses of Board

Compensation may not be paid to the members of the Board for their services as members. Costs incurred by the Board in carrying out its duties under this chapter, including the expenditures necessarily made by the members of the Board in the performance of their duties and the compensation of persons employed by the Board, shall be paid out of income from trust funds available to the Board for the purpose. Unless otherwise restricted by the instrument of gift or bequest, the Board, by resolution, may authorize the Chairman to use for these purposes, or for any other purpose for which funds may be expended under this chapter, the principal of a gift or bequest accepted under this chapter.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1292.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 300ll (July 9, 1941, ch. 284, § 9, 55 Stat. 582).

§ 2305. Acceptance of gifts

The Board may accept, receive, hold, and administer gifts or bequests of money, securities, or other personal property, for the benefit of or in connection with the national archival and records activities administered by the General Services Administration as may be approved by the Board.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1292.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 300cc (July 9, 1941, ch. 284, § 3, 55 Stat. 581).

§ 2306. Investment of funds

The Secretary of the Treasury shall receipt for moneys or securities composing trust funds given or bequeathed to the Board and shall invest, reinvest, and retain the moneys or securities as the Board from time to time determines. The Board may not engage in business or exercise a voting privilege which may be incidental to securities in such trust funds, nor may the Secretary of the Treasury make investments for the account of the Board which could not lawfully be made by a trust company in the District of Columbia, unless directly authorized by the instrument of gift or bequest under which the funds to be invested are derived, and may retain investments accepted by the Board.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1292.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 300dd (July 9, 1941, ch. 284, § 4, 55 Stat. 581).

§ 2307. Trust fund account; disbursements; sales of publications and releases

The income from trust funds held by the Board, and the proceeds from the sale of securities and other personal property, as and when collected, shall be covered into the Treasury of the United States in a trust fund account to be known as the National Archives Trust Fund, subject to disbursement by the Division of Disbursement, Treasury Department, on the basis of certified vouchers of the Chairman or his authorized agent, unless otherwise restricted by the instrument of gift or bequest, for and in the interest of the national archival and records activities administered by the General Services Administration, including but not restricted to the preparation and publication of special works and collections of sources and the preparation, duplication, editing, and release of historical photographic materials and sound recordings. The Chairman may sell publications and releases authorized by this section and paid for out of the income derived from trust funds at a price which will cover their cost plus 10 percent, and moneys received from these sales shall be paid into, administered, and expended as part of the National Archives Trust Fund.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1293.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 300ee (July 9, 1941, ch. 284, § 5, 55 Stat. 581).

§ 2308. Tax exemption for gifts

Gifts and bequests received by the Board under this chapter, and the income from them are exempt from taxes.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1293.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 300gg (July 9, 1941, ch. 284, § 7, 55 Stat. 582).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 26 section 2055.

CHAPTER 25—NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

Sec.
2501. Creation; composition; appointment and tenure.
2502. Vacancies.
2503. Executive director; editorial and clerical staff; reimbursement of members for transportation expenses; honorarium.
2504. Duties; authorization of grants for collection, reproduction, and publication of documentary historical source material.
2505. Special advisory committees; membership; reimbursement.
2506. Records to be kept by grantees.
2507. Report to Congress.

AMENDMENTS

1974—Pub. L. 93-536, § 1(a), Dec. 22, 1974, 88 Stat. 1734, added "And Records" following "Publications" in chapter heading.

CROSS REFERENCES

Accounting systems, forms, and procedures: authority of Comptroller General; settlement of accounts of collecting and disbursing officers with General Accounting Office, responsibility for, see section 3107 of this title.

Definitions applicable to provisions of Federal Property and Administrative Services Act of 1949, see section 472 of Title 40, Public Buildings, Property, and Works.

Definitions used in provisions respecting records management by Administrator of General Services to have same meaning when used in this chapter, see section 2901 of this title.

Exemptions from provisions of this chapter, see section 474 of Title 40, Public Buildings, Property, and Works.

Federal agency management program to provide for compliance with this chapter and regulations thereunder, see section 3102 of this title.

Federal Records Council, consultation of Administrator of General Services with Council with view of obtaining advice and assistance in carrying out the purposes of this chapter, see section 2701 of this title.

Reports from Federal agencies on their activities under this chapter, authority of Administrator of General Services to obtain; correction of violations, see section 2111 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2111, 2701, 2901, 3107 of this title.

§ 2501. Creation; composition; appointment and tenure

The National Historical Publications Commission[1] shall consist of the Archivist of the United States (or an alternate designated by him), who shall be Chairman; the Librarian of Congress (or an alternate designated by him); one Senator to be appointed, for a term of four years, by the President of the Senate; one Representative to be appointed, for a term of two years, by the Speaker of the House of Representatives; one member of the judicial branch of the Government to be appointed, for a term of four years, by the Chief Justice of the United States; one representative of the Department of State to be appointed, for a term of four years, by the Secretary of State; one representative of the Department of Defense to be appointed, for a term of four years, by the Secretary of Defense; two members of the American Historical Association to be appointed for terms of four years by the council of the Association; two members of the Organization of American Historians to be appointed for terms of four years by the Executive Board of the Organization, one of whom shall be appointed for an initial term of two years, and whose successors shall each serve four years; two members of the Society of American Archivists to be appointed, for terms of four years, by the Society of American Archivists; two members of the American Association for State and Local History to be appointed, for terms of four years, by the American Association for State and Local History; and two other members outstanding in the fields of the social or physical sciences to be appointed for terms of four years by the President of the United States.

The Commission shall meet annually and on call of the Chairman.

The authority of the Administrator of General Services under section 754 of title 40 to regroup, transfer, and distribute functions within the General Services Administration does not extend to the Commission or its functions.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1293; Pub. L. 92–546, § 1(a), Oct. 25, 1972, 86 Stat. 1155; Pub. L. 93–536, § 1(b), Dec. 22, 1974, 88 Stat. 1735.)

[1] Name of National Historical Publications Commission changed to National Historical Publications and Records Commission in chapter heading without a corresponding amendment to text.

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§ 391 (part), 393(a) (June 30, 1949, ch. 288, title I, § 104, 63 Stat. 381, and title V, § 503(a) as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

This section incorporates only the last sentence of paragraph (b) of former section 391. The balance of that section will be found in sections 1506, 2102, 2301, and 2902 of the revision.

AMENDMENTS

1974—Pub. L. 93–536 added the provision relating to the appointment and term of two members of the Society of American Archivists, and two members of the American Association for State and Local History.

1972—Pub. L. 92–546 provided for two additional members of the Organization of American Historians to be appointed for terms of four years by the Executive Board of the Organization, one to be appointed for a term of two years and his successors for a term of four years.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2502. Vacancies

A person appointed to fill a vacancy in the membership of the Commission shall be appointed only for the unexpired term of the member whom he succeeds, and his appointment shall be made in the same manner as the appointment of his predecessor.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1294.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 393(b) (June 30, 1949, ch. 288, title V, § 503(b), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2503. Executive director; editorial and clerical staff; reimbursement of members for transportation expenses; honorarium

The Commission may appoint, without reference to chapter 51 of Title 5, an executive director and such editorial and clerical staff as it determines to be necessary. Members of the Commission who represent a branch or agency of the Government shall serve as members of the Commission without additional compensation. All members of the Commission shall be reimbursed for transportation expenses incurred in attending meetings of the Commission, and members other than those who represent a branch or agency of the Government of the United States shall receive instead of subsistence en route to or from or at the place of service, for each day actually spent in connection with the performance of their duties as members of the Commission, a sum, not to exceed $40, as the Commission prescribes.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1294; Pub. L. 92–546, § 1(b), Oct. 25, 1972, 86 Stat. 1155.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 393(c) (June 30, 1949, ch. 288, title V, § 503(c), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

AMENDMENTS

1972—Pub. L. 92-546 increased daily allowance from $25 to $40.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2504. Duties; authorization of grants for collection, reproduction, and publication of documentary historical source material

(a) The Commission shall make plans, estimates, and recommendations for historical works and collections of sources, it considers appropriate for printing or otherwise recording at the public expense. It shall also cooperate with and encourage appropriate Federal, State, and local agencies and nongovernmental institutions, societies, and individuals in collecting and preserving and, when it considers it desirable, in editing and publishing the papers of outstanding citizens of the United States, and other documents as may be important for an understanding and appreciation of the history of the United States. The Administrator of General Services may, within the limits of available appropriated and donated funds, make allocations to Federal agencies, and grants to State and local agencies and to nonprofit organizations and institutions, for the collecting, describing, preserving and compiling, and publishing (including microfilming and other forms of reproduction) of documentary sources significant to the history of the United States. Before making allocations and grants, the Administrator should seek the advice and recommendations of the National Historical Publications Commission.[1] The Chairman of the Commission shall transmit to the Administrator from time to time, and at least annually, plans, estimates, and recommendations approved by the Commission.

(b) There is hereby authorized to be appropriated to the General Services Administration for the fiscal year ending June 30, 1975, and for each of the four succeeding fiscal years an amount not to exceed $4,000,000 for each year for the purposes specified in subsection (a) of this section: *Provided*, That such appropriations shall be available until expended when so provided in appropriation Acts.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1294; Pub. L. 92-546, § 1(c), Oct. 25, 1972, 86 Stat. 1155; Pub. L. 93-536, § 1(c), Dec. 22, 1974, 88 Stat. 1735.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 393(d) (June 30, 1949, ch. 288, title V, § 503(d), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 28, 1964, Pub. L. 88-383, § 503(f) 78 Stat. 335).

AMENDMENTS

1974—Subsec. (b). Pub. L. 93-536 substituted "1975" for "1973", and "$4,000,000" for "$2,000,000".

1972—Pub. L. 92-546 designated existing provisions as subsec. (a) and added subsec. (b).

[1] Name of National Historical Publications Commission changed to National Historical Publications and Records Commission in chapter heading without a corresponding amendment to text.

AUTHORIZATION OF APPROPRIATIONS

Section 503(f) of act June 30, 1949, ch. 288, title V, as added July 28, 1964, Pub. L. 88-383, 78 Stat. 335, and amended Aug. 8, 1968, Pub. L. 90-461, 82 Stat. 638 which authorized appropriation to the General Services Administration for the fiscal year ending June 30, 1965, and each of the nine succeeding fiscal years amount not exceeding $500,000 each year for the purposes of this section, was repealed by Pub. L. 92-546, § 2, Oct. 25, 1972, 86 Stat. 1155.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2506, 2507, 3102 of this title.

§ 2505. Special advisory committees; membership; reimbursement

The Commission may establish special advisory committees to consult with and make recommendations to it, from among the leading historians, political scientists, archivists, librarians, and other specialists of the Nation. Members of special advisory committees shall be reimbursed for transportation and other expenses on the same basis as members of the Commission.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1294.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 393(e) (June 30, 1949, ch. 288, title V, § 503, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 28, 1964, Pub. L. 88-383, 78 Stat. 335).

TERMINATION OF ADVISORY COMMITTEES

Advisory Committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the two-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such two-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law, see section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, set out in the Appendix to Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2506. Records to be kept by grantees

(a) Each recipient of grant assistance under section 2504 of this title shall keep such records as the Administrator of General Services prescribes, including records which fully disclose the amount and disposition by the recipient of the proceeds of the grants, the total cost of the project or undertaking in connection with which funds are given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and any other records as will facilitate an effective audit.

(b) The Administrator and the Comptroller General of the United States or their authorized representatives shall have access for the purposes of audit and examination to books, documents, papers, and records of the recipients that are pertinent to the grants received under section 2504 of this title.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1294.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 393(g) (June 30, 1949, ch. 288, title V, § 503, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 28, 1964, Pub. L. 88-383, 78 Stat. 335).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2507. Report to Congress

The Administrator of General Services shall make an annual report to the Congress concerning projects undertaken and carried out under section 2504 of this title, including detailed information concerning the receipt and use of all appropriated and donated funds made available to him.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1295.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 393(h) (June 30, 1949, ch. 288, title V, § 503, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 28, 1964, Pub. L. 88-383, 78 Stat. 335).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

CHAPTER 27—FEDERAL RECORDS COUNCIL

Sec.
2701. Establishment; composition; chairman.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2111, 2901, 3107 of this title.

§ 2701. Establishment; composition; chairman

The Administrator of General Services shall establish a Federal Records Council, and shall advise and consult with the Council with a view to obtaining its advice and assistance in carrying out the purposes of chapters 21, 25, 27, 29, and 31 of this title. The Council shall include representatives of the legislative, judicial, and executive branches of the Government in such number as the Administrator determines, but at least four representatives of the legislative branch, at least two representatives of the judicial branch, and at least six representatives of the executive branch. Members of the Council representing the legislative branch shall be designated, in equal number, by the President of the Senate and the Speaker of the House of Representatives, respectively. Members of the Council representing the judicial branch shall be designated by the Chief Justice of the United States. The Administrator may designate from persons named by the head of an executive agency concerned, not more than one representative from the agency to serve as a member of the Council. Members of the Council shall serve without compensation, but shall be reimbursed for all necessary expenses actually incurred in the performance of the duties as members of the Council.

The Council shall elect a chairman from among its own membership, and shall meet at least annually.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1295.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 394 (June 30, 1949, ch. 288, title V, § 504, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

CROSS REFERENCES

Accounting systems, forms, and procedures: authority of Comptroller General; settlement of accounts of collecting and disbursing officers with General Accounting Office, responsibility for, see section 3107 of this title.

Definitions applicable to provisions of Federal Property and Administrative Services Act of 1949, see section 472 of Title 40, Public Buildings, Property, and Works.

Definitions used in provisions respecting records management by Administrator of General Services to have same meaning when used in this chapter, see section 2901 of this title.

Federal agency management program to provide for compliance with this section and regulations thereunder, see section 3102 of this title.

Reports from Federal agencies on their activities under this chapter, authority of Administrator of General Services to obtain; correction of violations, see section 2111 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

CHAPTER 29—RECORDS MANAGEMENT BY ADMINISTRATOR OF GENERAL SERVICES

Sec.
2901. Definitions.
2902. Objectives of records management.
2903. Custody and control of property.
2904. General responsibilities of Administrator.
2905. Establishment of standards for selective retention of records; security measures.
2906. Inspection of agency records.
2907. Records centers and centralized microfilming services.
2908. Regulations.
2909. Retention of records.
[2910. Repealed.]

AMENDMENTS

1976—Pub. L. 94-575, § 2(b), Oct. 21, 1976, 90 Stat. 2726, substituted in: item 2902 "Objectives of records management" for "Records management, surveys, and reports", item 2904 "General responsibilities of Administrator" for "Records management by Administrator; duties generally", item 2906 "Inspection of agency records" for "Personal inspection and survey of records", and item 2907 "Records centers and centralized microfilming services" for "Records centers for storage, process, and servicing of records"; reenacted without change headings of items 2901, 2903, 2905, 2908, and 2909; and deleted item 2910 "Final authority of Administrator in records practices".

CROSS REFERENCES

Accounting systems, forms, and procedures: authority of Comptroller General; settlement of accounts of collecting and disbursing officers with General Accounting Office, responsibility for, see section 3107 of this title.

Exemptions from provisions of this chapter, see section 474 of Title 40, Public Buildings, Property, and Works.

Federal agency management program to provide for compliance with this chapter and regulations thereunder, see section 3102 of this title.

Federal Records Council, consultation of Administrator of General Services with Council with view of obtaining advice and assistance in carrying out the purposes of this chapter, see section 2701 of this title.

General Services Administration, see section 751 et seq. of Title 40, Public Buildings, Property, and Works.

Legal status of reproductions made under regulations to carry out this chapter, see section 2112 of this title.

Reports from Federal agencies on their activities under this chapter, authority of Administrator of General Services to obtain; correction of violations, see section 2111 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2111, 2112, 2701, 3107 of this title.

§ 2901. Definitions

As used in this chapter, and chapters 21, 25, 27, 31, and 33 of this title—

(1) the term "records" has the meaning given it by section 3301 of this title;

(2) the term "records management" means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition;

(3) the term "records creation" means the production or reproduction of any record;

(4) the term "records maintenance and use" means any activity involving—

(A) location of records of a Federal agency;

(B) storage, retrieval, and handling of records kept at office file locations by or for a Federal agency;

(C) processing of mail by a Federal agency; or

(D) selection and utilization of equipment and supplies associated with records and copying;

(5) the term "records disposition" means any activity with respect to—

(A) disposal of temporary records no longer necessary for the conduct of business by destruction or donation;

(B) transfer of records to Federal agency storage facilities or records centers;

(C) transfer to the National Archives of the United States of records determined to have sufficient historical or other value to warrant continued preservation; or

(D) transfer of records from one Federal agency to any other Federal agency;

(6) the term "records center" means an establishment maintained and operated by the Administrator or by another Federal agency primarily for the storage, servicing, security, and processing of records which need to be preserved for varying periods of time and need not be retained in office equipment or space;

(7) the term "records management study" means an investigation and analysis of any Federal agency records, or records management practices or programs (whether manual or automated), with a view toward rendering findings and recommendations with respect thereto;

(8) the term "inspection" means reviewing any Federal agency's records or records management practices or programs with respect to effectiveness and compliance with records management laws and making necessary recommendations for correction or improvement of records management;

(9) the term "servicing" means making available for use information in records and other materials in the custody of the Administrator, or in a records center—

(A) by furnishing the records or other materials, or information from them, or copies or reproductions thereof, to any Federal agency for official use, or to the public; or

(B) by making and furnishing authenticated or unauthenticated copies or reproductions of the records or other materials;

(10) the term "unauthenticated copies" means exact copies or reproductions of records or other materials that are not certified as such under seal and that need not be legally accepted as evidence;

(11) the term "National Archives of the United States" means those official records which have been determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the Federal Government, and which have been accepted by the Administrator for deposit in his custody;

(12) the term "Administrator" means the Administrator of General Services;

(13) the terms "executive agency" and "Federal agency" shall have the meanings given such terms by subsections (a) and (b), respectively, of section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472 (a) and (b)).

(Added Pub. L. 94-575, § 2(a)(1), Oct. 21, 1976, 90 Stat. 2723.)

PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in prior section 2901, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1295, and were stricken by section 2(a)(1) of Pub. L. 94-575.

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON AUTHORITIES AND RESPONSIBILITIES OF ADMINISTRATOR OF GENERAL SERVICES, JOINT COMMITTEE, OR GOVERNMENT PRINTING OFFICE

Section 5 of Pub. L. 94-575 provided that:

"(a) The provisions of this Act [see Short Title of 1976 Amendment note set out under section 101 of this title] relating to the authority of the Administrator of General Services do not limit or repeal additional authorities provided by statute or otherwise recognized by law.

"(b) The provisions of this Act do not limit or repeal the authority or responsibilities of the Joint Committee on Printing or the Government Printing Office under chapters 1 through 19 of title 44, United States Code."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title; title 17 App. section 704.

§ 2902. Objectives of records management

It is the purpose of this chapter, and chapters 21, 31, and 33 of this title, to require the establishment of standards and procedures to assure efficient and effective records management. Such records management standards and procedures shall seek to implement the following goals:

(1) Accurate and complete documentation of the policies and transactions of the Federal Government.

(2) Control of the quantity and quality of records produced by the Federal Government.

(3) Establishment and maintenance of mechanisms of control with respect to records creation in order to prevent the creation of unnecessary records and with respect to the effective and economical operations of an agency.

(4) Simplification of the activities, systems, and processes of records creation and of records maintenance and use.

(5) Judicious preservation and disposal of records.

(6) Direction of continuing attention on records from their initial creation to their final disposition, with particular emphasis on the prevention of unnecessary Federal paperwork.

(7) Establishment and maintenance of such other systems or techniques as the Administrator considers necessary to carry out the purposes of this chapter, and chapters 21, 31, and 33 of this title.

(Added Pub. L. 94–575, § 2(a)(1), Oct. 21, 1976, 90 Stat. 2724.)

PRIOR PROVISIONS

A prior section 2902, Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1296, which related to activities of the Administrator of General Services with respect to records management, surveys, and reports, was stricken by section 2(a)(1) of Pub. L. 94–575 and is now covered by section 2904 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2903. Custody and control of property

The Administrator shall have immediate custody and control of the National Archives Building and its contents, and may design, construct, purchase, lease, maintain, operate, protect, and improve buildings used by him for the storage of records of Federal agencies in the District of Columbia and elsewhere.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1296.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 392 (June 30, 1949, ch. 288, title V, § 502, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2904. General responsibilities of Administrator

The Administrator shall provide guidance and assistance to Federal agencies with respect to records creation, records maintenance and use, and records disposition. In providing such guidance and assistance, the Administrator shall have responsibility to—

(1) promote economy and efficiency in the selection and utilization of space, staff, equipment, and supplies for records management;

(2) promulgate standards, procedures, and guidelines with respect to records management and records management studies;

(3) conduct research with respect to the improvement of records management practices and programs;

(4) serve as a clearinghouse for information with respect to records management and as a central source for reference and training materials with respect to records management;

(5) establish such interagency committees and boards as may be necessary to provide an exchange of information among Federal agencies with respect to records management;

(6) disseminate information with respect to technological development in records management;

(7) direct the continuing attention of Federal agencies and the Congress on the burden placed on the Federal Government by unnecessary paperwork, and on the need for adequate policies governing records creation, maintenance and use, and disposition;

(8) conduct records management studies and, in his discretion, designate the heads of executive agencies to conduct records management studies with respect to establishing systems and techniques designed to save time and effort in records management, with particular attention given to standards and procedures governing records creation;

(9) conduct inspections or records management studies which involve a review of the programs and practices of more than one Federal agency and which examine interaction among and relationships between Federal agencies with respect to records and records management; and

(10) report to the Congress and to the Director of the Office of Management and Budget each year, at such time or times as he may deem desirable, on the results of the foregoing activities, including evaluations of responses by Federal agencies to any recommendations resulting from studies or inspections conducted by him.

(Added Pub. L. 94–575, § 2(a)(2), Oct. 21, 1976, 90 Stat. 2725.)

PRIOR PROVISIONS

Provisions similar to those comprising pars. (1) and (2) of this section were contained in prior section 2904, Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1296, and were stricken by section 2(a)(2) of Pub. L. 94–575.

Provisions similar to those comprising pars. (8) to (10) of this section were contained in prior section 2902, Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1296, and were stricken by section 2(a)(1) of Pub. L. 94–575.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2905. Establishment of standards for selective retention of records; security measures

The Administrator of General Services shall establish standards for the selective retention of records of continuing value, and assist Federal agencies in applying the standards to records in their custody. He shall notify the head of a Federal agency of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of the agency that shall come to his attention, and assist the head of the agency in initiating action through the Attorney General for the

recovery of records unlawfully removed and for other redress provided by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1296.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 395(b) (June 30, 1949, ch. 288, title V, § 505(b), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2906. Inspection of agency records

(a)(1) In carrying out his duties and responsibilities under this chapter, the Administrator of General Services or his designee may inspect the records or the records management practices and programs of any Federal agency solely for the purpose of rendering recommendations for the improvement of records management practices and programs. Officers and employees of such agencies shall cooperate fully in such inspections, subject to the provisions of paragraphs (2) and (3) of this subsection.

(2) Records, the use of which is restricted by law or for reasons of national security or the public interest, shall be inspected, in accordance with regulations promulgated by the Administrator, subject to the approval of the head of the agency concerned or of the President.

(3) If the Administrator or his designee inspects a record, as provided in this subsection, which is contained in a system of records which is subject to section 552a of title 5, such record shall be—

(A) maintained by the Administrator or his designee as a record contained in a system of records; or

(B) deemed to be a record contained in a system of records for purposes of subsections (b), (c), and (i) of section 552a of title 5.

(b) In conducting the inspection of agency records provided for in subsection (a) of this section, the Administrator or his designee shall, in addition to complying with the provisions of law cited in subsection (a)(3), comply with all other Federal laws and be subject to the sanctions provided therein.

(Added Pub. L. 94–575, § 2(a)(3), Oct. 21, 1976, 90 Stat. 2725.)

PRIOR PROVISIONS

Provisions similar to those comprising subsec. (a) (1) and (2) of this section were contained in prior section 2906, Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1297, and were stricken by section 2(a)(3) of Pub. L. 94–575.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2907. Records centers and centralized microfilming services

The Administrator may establish, maintain, and operate records centers and centralized microfilming services for Federal agencies.

(Added Pub. L. 94–575, § 2(a)(3), Oct. 21, 1976, 90 Stat. 2726.)

PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in prior section 2907, Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1297, and were stricken by section 2(a)(3) of Pub. L. 94–575.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2908. Regulations

Subject to applicable law, the Administrator of General Services shall promulgate regulations governing the transfer of records from the custody of one executive agency to that of another.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1297.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 395(e) (June 30, 1949, ch. 288, title V, § 505(e), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 2909. Retention of records

The Administrator of General Services may empower a Federal agency, upon the submission of evidence of need, to retain records for a longer period than that specified in disposal schedules; and, in accordance with regulations promulgated by him, may withdraw disposal authorizations covering records listed in disposal schedules.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1297; Pub. L. 91–287, § 4, June 23, 1970, 84 Stat. 322.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 395(f) (June 30, 1949, ch. 288, title V, § 505(f), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

AMENDMENTS

1970—Pub. L. 91–287 struck out "approved by Congress" following "disposal schedules" in two instances.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3102, 3303a of this title.

[§ 2910. Repealed. Pub. L. 94–575, § 2(a)(4), Oct. 21, 1976, 90 Stat. 2726]

Section, Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1297, provided for final authority of Administrator in records practices.

CHAPTER 31—RECORDS MANAGEMENT BY FEDERAL AGENCIES

Sec.
3101. Records management by agency heads; general duties.
3102. Establishment of program of management.
3103. Transfer of records to records centers.
3104. Certifications and determinations on transferred records.
3105. Safeguards.
3106. Unlawful removal, destruction of records.
3107. Authority of Comptroller General.

AMENDMENTS

1976—Pub. L. 94–575, § 3(b), Oct. 21, 1976, 90 Stat. 2727, substituted in item 3103 "Transfer of records to

records centers" for "Storage, processing, and servicing of records".

CROSS REFERENCES

Definitions applicable to provisions of Federal Property and Administrative Services Act of 1949, see section 472 of Title 40, Public Buildings, Property, and Works.

Definitions used in provisions respecting records management by Administrator of General Services to have same meaning when used in this chapter, see section 2901 of this title.

Exemptions from provisions of this chapter, see section 474 of Title 40, Public Buildings, Property, and Works.

Federal agency management program to provide for compliance with this chapter and regulations issued thereunder, see section 3102 of this title.

Federal Records Council, consultation of Administrator of General Services with Council with view of obtaining advice and assistance in carrying out the purposes of this chapter, see section 2701 of this title.

Legal status of reproductions made under regulations to carry out this chapter, see section 2112 of this title.

Reports from Federal agencies on their activities under this chapter, authority of Administrator of General Services to obtain; correction of violations, see section 2111 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2111, 2112, 2701, 2901, 2902, 3107 of this title.

§ 3101. Records management by agency heads; general duties

The head of each Federal agency shall make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1297.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 396(a) (June 30, 1949, ch. 288, title V, § 506(a), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 3102. Establishment of program of management

The head of each Federal agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of the agency. The program, among other things, shall provide for

(1) effective controls over the creation and over the maintenance and use of records in the conduct of current business;

(2) cooperation with the Administrator of General Services in applying standards, procedures, and techniques designed to improve the management of records, promote the maintenance and security of records deemed appropriate for preservation, and facilitate the segregation and disposal of records of temporary value; and

(3) compliance with sections 2101-2113, 2501-2507, 2701, 2901-2909, and 3101-3107, of this title and the regulations issued under them.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298; Pub. L. 94-575, § 3(a)(1), (2), Oct. 21, 1976, 90 Stat. 2726.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 396(b) (June 30, 1949, ch. 288, title V, § 506(b), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

AMENDMENTS

1976—Pub. L. 94-575, § 3(a)(1), (2), substituted in cl. (1) "the creation and over the maintenance" for "the creation, maintenance," and in cl. (3) reference to sections "2901-2909" for "2901, 2903-2909" of this title.

§ 3103. Transfer of records to records centers

When the head of a Federal agency determines that such action may affect substantial economies or increased operating efficiency, he shall provide for the transfer of records to a records center maintained and operated by the Administrator, or, when approved by the Administrator, to a center maintained and operated by the head of the Federal agency.

(Added Pub. L. 94-575, § 3(a)(3), Oct. 21, 1976, 90 Stat. 2726.)

PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in prior section 3103, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298, and were stricken by section 3(a)(3) of Pub. L. 94-575.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title; title 5 section 552a.

§ 3104. Certifications and determinations on transferred records

An official of the Government who is authorized to certify to facts on the basis of records in his custody, may certify to facts on the basis of records that have been transferred by him or his predecessors to the Administrator of General Services, and may authorize the Administrator to certify to facts and to make administrative determinations on the basis of records transferred to the Administrator, notwithstanding any other law.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 396(d) (June 30, 1949, ch. 288, title V, § 506(d), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended Feb. 5, 1964, Pub. L. 88-265, 78 Stat. 8).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 3105. Safeguards

The head of each Federal agency shall establish safeguards against the removal or loss of records he determines to be necessary and required by regulations of the Administrator of General Services. Safeguards shall include making it known to officials and employees of the agency—

(1) that records in the custody of the agency are not to be alienated or destroyed

except in accordance with sections 3301-3314 of this title, and

(2) the penalties provided by law for the unlawful removal or destruction of records.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 396(e) (June 30, 1949, ch. 288, title V, § 506(e), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

REFERENCES IN TEXT

Sections 3304 to 3307, included within the reference to sections 3301-3314 of this title in par. (1), were repealed by Pub. L. 91-287, § 2(c), June 23, 1970, 84 Stat. 321.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 3106. Unlawful removal, destruction of records

The head of each Federal agency shall notify the Administrator of General Services of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of the agency of which he is the head that shall come to his attention, and with the assistance of the Administrator shall initiate action through the Attorney General for the recovery of records he knows or has reason to believe have been unlawfully removed from his agency, or from another Federal agency whose records have been transferred to his legal custody.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 396(f) (June 30, 1949, ch. 288, title V, § 506(f), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

§ 3107. Authority of Comptroller General

Chapters 21, 25, 27, 29, and 31 of this title do not limit the authority of the Comptroller General of the United States with respect to prescribing accounting systems, forms, and procedures, or lessen the responsibility of collecting and disbursing officers for rendition of their accounts for settlement by the General Accounting Office.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298; Pub. L. 94-575, § 3(a)(4), Oct. 21, 1976, 90 Stat. 2726.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 396(g) (June 30, 1949, ch. 288, title V, § 506(g), as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583).

AMENDMENTS

1976—Pub. L. 94-575 substituted "Chapters 21, 25, 27, 29, and 31 of this title" for "Sections 2101-2113, 2501-2507, 2701, 2901, 2904-2910, and 3101-3107, of this title".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3102 of this title.

CHAPTER 33—DISPOSAL OF RECORDS

Sec.
3301. Definition of records.
3302. Regulations covering lists of records for disposal, procedure for disposal, and standards for reproduction.
3303. Lists and schedules of records to be submitted to Administrator of General Services by head of each Government agency.
3303a. Examination by Administrator of General Services of lists and schedules of records lacking preservation value; disposal of records.
[3304 to 3307. Repealed.]
3308. Disposal of similar records where prior disposal was authorized.
3309. Preservation of claims of Government until settled in General Accounting Office; disposal authorized upon written approval of Comptroller General.
3310. Disposal of records constituting menace to health, life, or property.
3311. Destruction of records outside continental United States in time of war or when hostile action seems imminent; written report to Administrator of General Services.
3312. Photographs or microphotographs of records considered as originals; certified reproductions admissible in evidence.
3313. Moneys from sale of records payable into the Treasury.
3314. Procedures for disposal of records exclusive.
3315. Definitions.
3316. Establishment of Commission.
3317. Duties of Commission.
3318. Membership.
3319. Director and staff; experts and consultants.
3320. Powers of Commission.
3321. Support services.
3322. Report.
3323. Termination.
3324. Authorization of appropriations.

AMENDMENTS

1976—Pub. L. 94-575, § 4(c)(1), Oct. 21, 1976, 90 Stat. 2727, deleted from item 3302 "; approval by President" following "standards for reproduction".

1974—Pub. L. 93-526, title II, § 203, Dec. 19, 1974, 88 Stat. 1702, added items 3315 to 3324.

1970—Pub. L. 91-287, § 3, June 23, 1970, 84 Stat. 322, inserted item 3303a and deleted items 3304 to 3307.

CROSS REFERENCES

Reports from Federal agencies on their activities under this chapter, authority of Administrator of General Services to obtain; correction of violations, see section 2111 of this title.

Safeguards against removal or loss of records, prohibition against alienation or destruction except in accordance with this chapter, see section 3105 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 2111, 2112, 2901, 2902 of this title; title 5 section 552b.

§ 3301. Definition of records

As used in this chapter, "records" includes all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or

other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1299; Pub. L. 94–575, § 4(c)(2), Oct. 21, 1976, 90 Stat. 2727.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 366 (July 7, 1943, ch. 192, § 1, 57 Stat. 380).

AMENDMENTS

1976—Pub. L. 94–575 expanded "records" to include "machine readable materials".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2901, 3105 of this title; title 10 section 7545.

§ 3302. Regulations covering lists of records for disposal, procedure for disposal, and standards for reproduction

The Administrator of General Services shall promulgate regulations, not inconsistent with this chapter, establishing—

(1) procedures for the compiling and submitting to him of lists and schedules of records proposed for disposal,

(2) procedures for the disposal of records authorized for disposal, and

(3) standards for the reproduction of records by photographic or microphotographic processes with a view to the disposal of the original records.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1299; Pub. L. 94–575, § 4(c)(1), Oct. 21, 1976, 90 Stat. 2727.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 367 (July 7, 1943, ch. 192, § 2, 57 Stat. 381; June 30, 1949, ch. 288, title I, § 104, 63 Stat. 381).

AMENDMENTS

1976—Pub. L. 94–575 deleted from the section catchline "; approval by President" following "standards for reproduction".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3105, 3303, 3303a, 3308, 3312 of this title.

§ 3303. Lists and schedules of records to be submitted to Administrator of General Services by head of each Government agency

The head of each agency of the United States Government shall submit to the Administrator of General Services, under regulations promulgated as provided by section 3302 of this title—

(1) lists of any records in the custody of the agency that have been photographed or microphotographed under the regulations and that, as a consequence, do not appear to have sufficient value to warrant their further preservation by the Government;

(2) lists of other records in the custody of the agency not needed by it in the transaction of its current business and that do not appear to have sufficient administrative, legal, research, or other value to warrant their further preservation by the Government; and

(3) schedules proposing the disposal after the lapse of specified periods of time of records of a specified form or character that either have accumulated in the custody of the agency or may accumulate after the submission of the schedules and apparently will not after the lapse of the period specified have sufficient administrative, legal, research, or other value to warrant their further preservation by the Government.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1299.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 368 (July 7, 1943, ch. 192, § 3, 57 Stat. 381; June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3105, 3303a of this title.

§ 3303a. Examination by Administrator of General Services of lists and schedules of records lacking preservation value; disposal of records

(a) The Administrator of General Services shall examine the lists and schedules submitted to him under section 3303 of this title. If the Administrator determines that any of the records listed in a list or schedule submitted to him do not, or will not after the lapse of the period specified, have sufficient administrative, legal, research, or other value to warrant their continued preservation by the Government, he may—

(1) notify the agency to that effect; and

(2) empower the agency to dispose of those records in accordance with regulations promulgated under section 3302 of this title.

(b) Authorizations granted under lists and schedules submitted to the Administrator under section 3303 of this title shall be mandatory, subject to section 2909 of this title. Authorizations granted under schedules promulgated under subsection (d) of this section shall be permissive.

(c) The Administrator may request advice and counsel from the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives with respect to the disposal of any particular records under this chapter whenever he considers that—

(1) those particular records may be of special interest to the Congress; or

(2) consultation with the Congress regarding the disposal of those particular records is in the public interest.

However, this subsection does not require the Administrator to request such advice and counsel as a regular procedure in the general disposal of records under this chapter.

(d) The Administrator may promulgate schedules authorizing the disposal, after the lapse of specified periods of time, of records of a specified form or character common to several or all agencies if such records will not, at the end of the periods specified, have sufficient ad-

ministrative, legal, research, or other value to warrant their further preservation by the United States Government.

(e) The Administrator may approve and effect the disposal of records that are in his legal custody, provided that records that had been in the custody of another existing agency may not be disposed of without the written consent of the head of the agency.

(f) The Administrator shall make an annual report to the Congress concerning the disposal of records under this chapter, including general descriptions of the types of records disposed of and such other information as he considers appropriate to keep the Congress fully informed regarding the disposal of records under this chapter.

(Added Pub. L. 91-287, § 1, June 23, 1970, 84 Stat. 321.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3105 of this title.

[§§ 3304 to 3307. Repealed. Pub. L. 91-287, § 2(c) June 23, 1970, 84 Stat. 321]

Section 3304, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1300, related to submission of lists and schedules of records lacking preservation value by the Administrator of General Services to Congress. See now section 3303a of this title.

Section 3305, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1300, related to examination of lists and schedules by joint congressional committees and report to Congress. See now section 3303a of this title.

Section 3306, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1300, related to disposal of records by head of Government agency upon notification by Administrator of action by joint congressional committee. See now section 3303a of this title.

Section 3307, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301, related to disposal of records upon failure of joint congressional committees to act. See now section 3303a of this title.

§ 3308. Disposal of similar records where prior disposal was authorized

When it appears to the Administrator of General Services that an agency has in its custody, or is accumulating, records of the same form or character as those of the same agency previously authorized to be disposed of, he may empower the head of the agency to dispose of the records, after they have been in existence a specified period of time, in accordance with regulations promulgated under section 3302 of this title and without listing or scheduling them.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301; Pub. L. 91-287, § 2(a), June 23, 1970, 84 Stat. 321.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 373 (July 7, 1943, ch. 192, § 8, 57 Stat. 382; June 30, 1949, ch. 288, Title I, § 104(a), 63 Stat. 381).

AMENDMENTS

1970—Pub. L. 91-287 struck out "by Congress" following "authorized".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3105 of this title.

§ 3309. Preservation of claims of Government until settled in General Accounting Office; disposal authorized upon written approval of Comptroller General

Records pertaining to claims and demands by or against the Government of the United States or to accounts in which the Government of the United States is concerned, either as debtor or creditor, may not be disposed of by the head of an agency under authorization granted under this chapter, until the claims, demands, and accounts have been settled and adjusted in the General Accounting Office, except upon the written approval of the Comptroller General of the United States.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301; Pub. L. 91-287, § 2(b), June 23, 1970, 84 Stat. 321.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 374 (July 7, 1943, ch. 192, § 9, 57 Stat. 382).

AMENDMENTS

1970—Pub. L. 91-287 substituted "under this chapter" for "under sections 3306-3308 of this title".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3105 of this title.

§ 3310. Disposal of records constituting menace to health, life, or property

When the Administrator of General Services and the head of the agency that has custody of them jointly determine that records in the custody of an agency of the United States Government are a continuing menace to human health or life or to property, the Administrator shall eliminate the menace immediately by any method he considers necessary. When records in the custody of the Administrator are disposed of under this section, the Administrator shall report their disposal to the agency from which they were transferred.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 375 (July 7, 1943, ch. 192, § 10, 57 Stat. 382; June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3105 of this title.

§ 3311. Destruction of records outside continental United States in time of war or when hostile action seems imminent; written report to Administrator of General Services

During a state of war between the United States and another nation, or when hostile action by a foreign power appears imminent, the head of an agency of the United States Government may authorize the destruction of records in his legal custody situated in a military or naval establishment, ship, or other depository outside the territorial limits of continental United States—

(1) the retention of which would be prejudicial to the interests of the United States or

(2) which occupy space urgently needed for military purposes and are, in his opinion,

without sufficient administrative, legal, research, or other value to warrant their continued preservation.

Within six months after their disposal, the official who directed the disposal shall submit a written report to the Administrator of General Services in which he shall describe the character of the records and state when and where he disposed of them.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1301.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 376 (July 7, 1943, ch. 192, § 11, 57 Stat. 382; June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3105 of this title.

§ 3312. Photographs or microphotographs of records considered as originals; certified reproductions admissible in evidence

Photographs or microphotographs of records made in compliance with regulations under section 3302 of this title shall have the same effect as the originals and shall be treated as originals for the purpose of their admissibility in evidence. Certified or authenticated reproductions of the photographs or microphotographs shall be admitted in evidence equally with the original photographs or microphotographs.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1302.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 378 (July 7, 1943, ch. 192, § 13, 57 Stat. 382).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3105 of this title.

§ 3313. Moneys from sale of records payable into the Treasury

Moneys derived by agencies of the Government from the sale of records disposed of under this chapter shall be paid into the Treasury of the United States unless otherwise required by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1302.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 379 (July 7, 1943, ch. 192, § 14, 57 Stat. 383).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3105 of this title.

§ 3314. Procedures for disposal of records exclusive

The procedures prescribed by this chapter are exclusive, and records of the United States Government may not be alienated or destroyed except under this chapter.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1302.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 380 (July 7, 1943, ch. 192, § 15, 57 Stat. 383).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3105 of this title.

§ 3315. Definitions

For purposes of this section and section 3316 through section 3324 of this title—

(1) the term "Federal official" means any individual holding the office of President or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, or any officer of the executive, judicial, or legislative branch of the Federal Government;

(2) the term "Commission" means the National Study Commission on Records and Documents of Federal Officials; and

(3) the term "records and documents" shall include handwritten and typewritten documents, motion pictures, television tapes and recordings, magnetic tapes, automated data processing documentation in various forms, and other records that reveal the history of the Nation.

(Added Pub. L. 93–526, title II, § 202, Dec. 19, 1974, 88 Stat. 1698.)

TERMINATION OF COMMISSION

For provision that commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3317, 3319, 3320, 3324 of this title.

§ 3316. Establishment of Commission

There is established a commission to be known as the National Study Commission on Records and Documents of Federal Officials.

(Added Pub. L. 93–526, title II, § 202, Dec. 19, 1974, 88 Stat. 1699.)

TERMINATION OF COMMISSION

For provision that commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3317, 3319, 3320, 3324 of this title.

§ 3317. Duties of Commission

It shall be the duty of the Commission to study problems and questions with respect to the control, disposition, and preservation of records and documents produced by or on behalf of Federal officials, with a view toward the development of appropriate legislative recommendations and other recommendations regarding appropriate rules and procedures with respect to such control, disposition, and preservation. Such study shall include consideration of—

(1) whether the historical practice regarding the records and documents produced by or on behalf of Presidents of the United States should be rejected or accepted and whether such practice should be made applicable with respect to all Federal officials;

(2) the relationship of the findings of the Commission to the provisions of chapter 19 of

this title, section 2101 through section 2108 of this title, and other Federal laws relating to the control, disposition, and preservation of records and documents of Federal officials;

(3) whether the findings of the Commission should affect the control, disposition, and preservation of records and documents of agencies within the Executive Office of the President created for short-term purposes by the President;

(4) the recordkeeping procedures of the White House Office, with a view toward establishing means to determine which records and documents are produced by or on behalf of the President;

(5) the nature of rules and procedures which should apply to the control, disposition, and preservation of records and documents produced by Presidential task forces, commissions, and boards;

(6) criteria which may be used generally in determining the scope of materials which should be considered to be the records and documents of Members of the Congress;

(7) the privacy interests of individuals whose communications with Federal officials, and with task forces, commissions, and boards, are a part of the records and documents produced by such officials, task forces, commissions, and boards; and

(8) any other problems, questions, or issues which the Commission considers relevant to carrying out its duties under section 3315 through section 3324 of this title.

(Added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1699.)

TERMINATION OF COMMISSION

For provision that commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3319, 3320, 3324 of this title.

§ 3318. Membership

(a)(1) The Commission shall be composed of seventeen members as follows:

(A) one Member of the House of Representatives appointed by the Speaker of the House upon recommendation made by the majority leader of the House;

(B) one Member of the House of Representatives appointed by the Speaker of the House upon recommendation made by the minority leader of the House;

(C) one Member of the Senate appointed by the President pro tempore of the Senate upon recommendation made by the majority leader of the Senate;

(D) one Member of the Senate appointed by the President pro tempore of the Senate upon recommendation made by the minority leader of the Senate;

(E) one member of the Federal judiciary appointed by the Chief Justice of the United States;

(F) one person employed by the Executive Office of the President or the White House Office, appointed by the President;

(G) three appointed by the President, by and with the advice and consent of the Senate, from persons who are not officers or employees of any government and who are specially qualified to serve on the Commission by virtue of their education, training, or experience;

(H) one representative of the Department of State, appointed by the Secretary of State;

(I) one representative of the Department of Defense, appointed by the Secretary of Defense;

(J) one representative of the Department of Justice, appointed by the Attorney General;

(K) the Administrator of General Services (or his delegate);

(L) the Librarian of Congress;

(M) one member of the American Historical Association, appointed by the counsel of such Association;

(N) one member of the Society of American Archivists, appointed by such Society; and

(O) one member of the Organization of American Historians, appointed by such Organization.

(2) No more than two members appointed under paragraph (1)(G) may be of the same political party.

(b) A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) If any member of the Commission who was appointed to the Commission as a Member of the Congress leave such office, or if any member of the Commission who was appointed from persons who are not officers or employees of any government becomes an officer or employee of a government, he may continue as a member of the Commission for no longer than the sixty-day period beginning on the date he leaves such office or becomes such an officer or employee, as the case may be.

(d) Members shall be appointed for the life of the Commission.

(e)(1) Members of the Commission shall serve without pay.

(2) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses in the same manner as persons employed intermittently in the service of the Federal Government are allowed expenses under section 5703 of title 5, United States Code, except that per diem in lieu of subsistence shall be paid only to those members of the Commission who are not full-time officers or employees of the United States or Members of the Congress.

(f) The Chairman of the Commission shall be designated by the President from among members appointed under subsection (a)(1)(G).

(g) The Commission shall meet at the call of the Chairman or a majority of its members.

(Added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1699, and amended Pub. L. 94-261, § 1(a), Apr. 11, 1976, 90 Stat. 326.)

AMENDMENTS

1976—Subsec. (a)(1)(E). Pub. L. 94-261, § 1(a)(1), substituted "one member of the Federal judiciary appointed by the Chief Justice of the United States;" for

"one Justice of the Supreme Court, appointed by the Chief Justice of the United States;".

Subsec. (e)(2). Pub. L. 94-261, § 1(a)(2), substituted "section 5703 of title 5, United States Code" for "section 5703(b) of title 5, United States Code".

TERMINATION OF COMMISSION

For provision that commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3317, 3319, 3320, 3324 of this title.

§ 3319. Director and staff; experts and consultants

(a) The Commission shall appoint a Director who shall be paid at a rate not to exceed the rate of basic pay in effect for level V of the Executive Schedule (5 U.S.C. 5316).

(b) The Commission may appoint and fix the pay of such additional personnel as it deems necessary.

(c)(1) The Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for grade GS-15 of the General Schedule (5 U.S.C. 5332).

(2) In procuring services under this subsection, the Commission shall seek to obtain the advice and assistance of constitutional scholars and members of the historical, archival, and journalistic professions.

(d) Upon request of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist it in carrying out its duties under sections 3315 through 3324 of this title.

(Added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1701.)

TERMINATION OF COMMISSION

For provision that commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3317, 3320, 3324 of this title.

§ 3320. Powers of Commission

(a) The Commission may, for the purpose of carrying out its duties under sections 3315 through 3324 of this title, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may deem desirable.

(b) When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(c) The Commission may secure directly from any department or agency of the United States information necessary to enable the Commission to carry out its duties under section 3315 through section 3324 of this title. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(Added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1701.)

TERMINATION OF COMMISSION

For provision that commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3317, 3319, 3324 of this title.

§ 3321. Support services

(a) The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services and assistance as the Commission may request.

(b) The Archivist of the United States shall provide to the Commission on a reimbursable basis such technical and expert advice, consultation, and support assistance as the Commission may request.

(Added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1701.)

TERMINATION OF COMMISSION

For provision that commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3317, 3319, 3320, 3324 of this title.

§ 3322. Report

The Commission shall transmit to the President and to each House of the Congress a report not later than March 31, 1977. Such report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation, administrative actions, and other actions, as it deems appropriate.

(Added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1701, and amended Pub. L. 94-261, § 1(b), Apr. 11, 1976, 90 Stat. 326.)

AMENDMENTS

1976—Pub. L. 94-261 substituted "March 31, 1977" for "March 31, 1976".

TERMINATION OF COMMISSION

For provision that commission is to cease to exist sixty days after transmitting its report, see section 3323 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3317, 3319, 3320, 3323, 3324 of this title.

§ 3323. Termination

The Commission shall cease to exist sixty days after transmitting its report under section 3322 of this title.

(Added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1701.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3317, 3319, 3320, 3324 of this title.

§ 3324. Authorization of appropriations

There is authorized to be appropriated such sums as may be necessary to carry out section 3315 through section 3324 of this title.

(Added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1701.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3315, 3317, 3319, 3320 of this title.

CHAPTER 35—COORDINATION OF FEDERAL REPORTING SERVICES

Sec.
3501. Information for Federal agencies.
3502. Definitions.
3503. Duties of Director of the Bureau of the Budget.
3504. Designation of central collection agency.
3505. Independent collection by an agency prohibited.
3506. Determination of necessity for information; hearing.
3507. Cooperation of agencies in making information available.
3508. Unlawful disclosure of information; penalties; release of information to other agencies.
3509. Plans or forms for collecting information; submission to Director; approval.
3510. Rules and regulations.
3511. Penalty for failure to furnish information.
[3512. Information for independent regulatory agencies.][1]

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 42 section 292h.

§ 3501. Information for Federal agencies

Information needed by Federal agencies shall be obtained with a minimum burden upon business enterprises, especially small business enterprises, and other persons required to furnish the information, and at a minimum cost to the Government. Unnecessary duplication of efforts in obtaining information through the use of reports, questionnaires, and other methods shall be eliminated as rapidly as practicable. Information collected and tabulated by a Federal agency shall, as far as is expedient, be tabulated in a manner to maximize the usefulness of the information to other Federal agencies and the public.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 421 (Dec. 24, 1942, ch. 811, § 2, 56 Stat. 1078).

COMMISSION ON FEDERAL PAPERWORK

Pub. L. 93-556, §§ 1 to 9, Dec. 27, 1974, 88 Stat. 1789 to 1792, provided that:

"DECLARATION OF PURPOSE

"Section 1. (a) The Congress hereby finds that Federal information reporting requirements have placed an unprecedented paperwork burden upon private citizens, recipients of Federal assistance, businesses, governmental contractors, and State and local governments.

"(b) The Congress hereby affirms that it is the policy of the Federal Government to minimize the information reporting burden, consistent with its needs for information to set policy and operate its lawful programs.

"(c) The Congress hereby determines that a renewed effort is required to assure that this policy is fully implemented and that it is necessary to reexamine the policies and procedures of the Federal Government which have an impact on the paperwork burden for the purpose of ascertaining what changes are necessary and desirable in its information policies and practices.

"ESTABLISHMENT OF THE COMMISSION

"Sec. 2. To accomplish the purpose set forth in the first section of this Act, there is hereby established a Commission on Federal Paperwork (hereinafter referred to as the 'Commission').

"FUNCTIONS OF THE COMMISSION

"Sec. 3. (a) The Commission shall study and investigate statutes, policies, rules, regulations, procedures, and practices of the Federal Government relating to information gathering, processing, and dissemination, and the management and control of these information activities. The Commission shall consider—

"(1) the nature and extent of current Federal requirements for information from other public and private entities;

"(2) the effect of existing statutes on the information requirements of the Federal Government and authorities of existing Federal agencies to collect information;

"(3) the nature and extent of management and control over the determination of Federal information needs and the choice of information gathering, processing, and dissemination methods;

"(4) the nature and extent to which Federal agencies cooperate with State and local governments and private agencies in collecting, processing, and disseminating information;

"(5) the procedures used and the extent to which considerations of economy and efficiency impact upon Federal information activities, particularly as these matters relate to costs burdening the Federal Government and providers of information;

"(6) the ways in which policies and practices relating to the maintenance of confidentiality of information impact upon Federal information activities; and

"(7) such other matters as the Commission may decide affect Federal reporting requirements.

"(b) The Commission shall ascertain what changes are possible and desirable in existing statutes, policies, rules, regulations, procedures, and practices relating to Federal information activities in order to—

"(1) assure that necessary information is made available to Federal officials and those acting on behalf of Federal officials;

"(2) minimize the burden imposed by Federal reporting requirements on private citizens, recipients of Federal assistance, businesses, governmental contractors, and State and local governments;

"(3) guarantee appropriate standards of confidentiality for information held by private citizens or the Federal Government, and the release thereof;

"(4) provide that information held by the Federal Government is processed and disseminated to maximize its usefulness to all Federal agencies and the public;

"(5) reduce the duplication of information collected by the Federal Government and by State and local governments and other collectors of information; and

"(6) reduce the costs of Federal paperwork.

"(c) The Commission shall make a final report to the Congress and the President within two years of the date of the first meeting of the Commission. The final report shall contain a review of its findings and its recommendations for changes in statutes, policies, rules, regulations, procedures and practices. In the event Congress is not in session at the end of such two-year period, the final report shall be submitted to the Clerk of the House and the Secretary of the

[1] Item 3512 has been editorially inserted. Section 3512 was enacted by Pub. L. 93-153 without a concurrent insertion into the chapter analysis.

Senate. The Commission may make such interim reports and recommendations as it deems advisable.

"(d) Upon submission of the Commission's final report, the Office of Management and Budget, in coordination with the executive agencies, shall take action to (1) formulate the views of the executive agencies on the recommendations of the Commission; (2) to the extent practicable within the limits of their authority and resources, carry out recommendations of the Commission in which they concur; and (3) propose legislation needed to carry out or to provide authority to carry out other recommendations of the Commission in which they concur. At least once every six months, the Office of Management and Budget shall report to the Congress and the President on the status of action taken or to be taken as provided herein. A final report shall be submitted within two years.

"MEMBERSHIP OF THE COMMISSION

"Sec. 4. (a) The Commission shall be composed of fourteen members, as follows:

"(1) two Members of the Senate (who shall not be members of the same political party) appointed by the President of the Senate;

"(2) two Members of the House of Representatives (who shall not be members of the same political party) appointed by the Speaker of the House of Representatives;

"(3) the Director of the Office of Management and Budget and one other official or employee of the executive branch of the Federal Government appointed by the President of the United States;

"(4) the Comptroller General of the United States;

"(5) two from among officials of State and local governments (who shall not be members of the same political party) appointed by the President of the United States; and

"(6) five from among persons in the private sector, including small business, labor, and other interested groups (no more than three of whom shall be of the same political party), appointed by the President of the United States.

"(b) The Commission shall select a Chairman and a Vice Chairman from among its members.

"(c) Seven members of the Commission shall constitute a quorum.

"(d) Any vacancies in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

"COMPENSATION OF MEMBERS OF THE COMMISSION

"Sec. 5. (a) Except as provided in subsection (b), members of the Commission shall each receive as compensation the daily equivalent of the annual rate of basic pay in effect for grade GS–18 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

"(b) Members of the Commission who are Members of Congress or who are full-time officers or employees of the United States shall receive no additional compensation for their service on the Commission.

"(c) While away from their homes or regular places of business in the performance of service for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

"POWERS OF THE COMMISSION

"Sec. 6. (a) The Commission, or at its direction, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, sit and act at such times and places, take such testimony, receive such evidence and administer such oaths, as the Commission or such subcommittee or member may deem advisable. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such subcommittee or member.

"(b)(1) The Commission may require by subpenas the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents as the Commission may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman and may be served by any person designated by the Chairman or Vice Chairman. The subpenas of the Commission shall be served in a manner provided for subpenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

"(2) If a person issued a subpena under paragraph (1) is guilty of contumacy or refuses to obey such subpena, any district court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may, upon application made by the Attorney General of the United States, order such person to appear before the Commission or a subcommittee or member thereof, to produce evidence or to give testimony touching the matter under inquiry. Any failure of any such person to obey any such order of the court may be punished by such court as a contempt thereof.

"(3) Notwithstanding paragraphs (1) and (2), a person shall be excused from testifying or from producing such books, records, correspondence, memoranda, papers or documents or other evidence in obedience to a subpena if such person states in writing to the court ordering his attendance and testimony that the required testimony or evidence may tend to incriminate him or subject him to a criminal penalty.

"(c) The Commission may appoint and fix the compensation of such personnel as it deems advisable without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such personnel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at a rate not to exceed the maximum rate authorized by the General Schedule. In addition, the Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for the maximum rate authorized by the General Schedule.

"(d) The Commission is authorized to negotiate and enter into contracts with private organizations and educational institutions to carry out such studies and prepare such reports as the Commission determines are necessary in order to carry out its duties.

"COOPERATION WITH FEDERAL AGENCIES

"Sec. 7. (a) Each department, agency, and instrumentality of the Federal Government is authorized and directed to furnish to the Commission, upon request made by the Chairman, such data, reports, and other information not otherwise prohibited by law as the Commission deems necessary to carry out its functions under this Act.

"(b) The head of each department or agency of the Federal Government is authorized to provide to the Commission such services as the Commission requests on such basis, reimbursable or otherwise, as may be agreed between the department or agency and the Chairman or Vice Chairman of the Commission. All such requests shall be made by the Chairman or Vice Chairman of the Commission.

"TERMINATION OF THE COMMISSION

"Sec. 8. One hundred and twenty days after the submission of the final report provided for in section 3 of this Act, the Commission shall cease to exist.

"AUTHORIZATION OF APPROPRIATIONS

"Sec. 9. There are hereby authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this Act."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3510 of this title.

§ 3502. Definitions

As used in this chapter—

"Federal agency" means an executive department, commission, independent establishment, corporation owned or controlled by the United States, board, bureau, division, service, office, authority, or administration in the executive branch of the Government; but does not include the General Accounting Office, independent Federal regulatory agencies, nor the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions;

"person" means an individual, partnership, association, corporation, business trust, or legal representative, an organized group of persons, a State or territorial government or branch, or a political subdivision of a State or territory or a branch of a political subdivision;

"information" means facts obtained or solicited by the use of written report forms, application forms, schedules, questionnaires, or other similar methods calling either for answers to identical questions from ten or more persons other than agencies, instrumentalities, or employees of the United States or for answers to questions from agencies, instrumentalities, or employees of the United States which are to be used for statistical compilations of general public interest.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302; Pub. L. 93-153, title IV, § 409(a), Nov. 16, 1973, 87 Stat. 593.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 426 (Dec. 24, 1942, ch. 811, § 7, 56 Stat. 1079).

CODIFICATION

The comma following "General Accounting Office" and preceding "independent Federal regulatory agencies" as part of the 1973 amendment of the definition of "Federal agency" by Pub. L. 93-153 has been editorially inserted as the probable intent of Congress.

AMENDMENTS

1973—Pub. L. 93-153 inserted "independent Federal regulatory agencies," following "General Accounting Office" in the definition of "Federal agency".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3510, 3512 of this title; title 15 section 766; title 20 section 1221e-1.

§ 3503. Duties of Director of the Bureau of the Budget

With a view to carrying out the policy of this chapter, the Director of the Bureau of the Budget from time to time shall—

(1) investigate the needs of the various Federal agencies for information from business enterprises, from other persons, and from other Federal agencies;

(2) investigate the methods used by agencies in obtaining information; and

(3) coordinate as rapidly as possible the information-collecting services of all agencies with a view to reducing the cost to the Government of obtaining information and minimizing the burden upon business enterprises and other persons, and using, as far as practicable, for continuing organization, files of information and existing facilities of the established Federal agencies.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1303.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 422(a) (Dec. 24, 1942, ch. 811, § 3(a), 56 Stat. 1078).

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970 redesignated the Bureau of the Budget as the Office of Management and Budget.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3510 of this title.

§ 3504. Designation of central collection agency

When, after investigation, the Director of the Bureau of the Budget is of the opinion that the needs of two or more Federal agencies for information from business enterprises and other persons will be adequately served by a single collecting agency, he shall fix a time and place for a hearing at which the agencies concerned and other interested persons may have an opportunity to present their views. After the hearing, the Director may issue an order designating a collecting agency to obtain information for two or more of the agencies concerned, and prescribing (with reference to the collection of information) the duties and functions of the collecting agency so designated and the Federal agencies for which it is to act as agent. The Director may modify the order from time to time as circumstances required, but modification may not be made except after investigation and hearing.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1303.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 422(b) (Dec. 24, 1942, ch. 811, § 3(b), 56 Stat. 1078).

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970 redesignated the Bureau of the Budget as the Office of Management and Budget.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3510 of this title.

§ 3505. Independent collection by an agency prohibited

While an order or modified order is in effect, a Federal agency covered by it may not obtain for itself information which it is the duty of the collecting agency designated by the order to obtain.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1303.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 422(c) (Dec. 24, 1942, ch. 811, § 3(c), 56 Stat. 1078).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3510 of this title.

§ 3506. Determination of necessity for information; hearing

Upon the request of a party having a substantial interest, or upon his own motion, the Director of the Bureau of the Budget may determine whether or not the collection of information by a Federal agency is necessary for the proper performance of the functions of the agency or for any other proper purpose. Before making a determination, he may give the agency and other interested persons an opportunity to be heard or to submit statements in writing. To the extent, if any, that the Director determines the collection of information by the agency is unnecessary, for any reason, the agency may not engage in the collection of the information.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1303.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 422(d) (Dec. 24, 1942, ch. 811, § 3(d), 56 Stat. 1078).

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970 redesignated the Bureau of the Budget as the Office of Management and Budget.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3510 of this title.

§ 3507. Cooperation of agencies in making information available

For the purposes of this chapter, the Director of the Bureau of the Budget may require a Federal agency to make available to another Federal agency information obtained from any person after December 24, 1942, and all agencies are directed to cooperate to the fullest practicable extent at all times in making information available to other agencies.

This chapter does not apply to the obtaining or releasing of information by the Internal Revenue Service, the Comptroller of the Currency, the Bureau of the Public Debt, the Bureau of Accounts, and the Division of Foreign Funds Control of the Treasury Department, nor to the obtaining by a Federal bank supervisory agency of reports and information from banks as authorized by law and in the proper performance of the agency's functions in its supervisory capacity.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1304.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 422(e) (Dec. 24, 1942, ch. 811, § 3(e), 56 Stat. 1078).

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970 redesignated the Bureau of the Budget as the Office of Management and Budget.

The functions of the Bureau of Accounts were transferred to the Bureau of Government Financial Operations pursuant to Treasury Order 229 of Jan. 14, 1974.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3510 of this title.

§ 3508. Unlawful disclosure of information; penalties; release of information to other agencies

(a) If information obtained in confidence by a Federal agency is released by that agency to another Federal agency, all the provisions of law including penalties which relate to the unlawful disclosure of information apply to the officers and employees of the agency to which information is released to the same extent and in the same manner as the provisions apply to the officers and employees of the agency which originally obtained the information. The officers and employees of the agency to which the information is released, in addition, shall be subject to the same provisions of law, including penalties, relating to the unlawful disclosure of information as if the information had been collected directly by that agency.

(b) Information obtained by a Federal agency from a person under this chapter may be released to another Federal agency only—

(1) in the form of statistical totals or summaries; or

(2) if the information as supplied by persons to a Federal agency had not, at the time of collection, been declared by that agency or by a superior authority to be confidential; or

(3) when the persons supplying the information consent to the release of it to a second agency by the agency to which the information was originally supplied; or

(4) when the Federal agency to which another Federal agency releases the information has authority to collect the information itself and the authority is supported by legal provision for criminal penalties against persons failing to supply the information.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1304.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 423 (Dec. 24, 1942, ch. 811, § 4, 56 Stat. 1079).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3510, 3512 of this title.

§ 3509. Plans or forms for collecting information; submission to Director; approval

A Federal agency may not conduct or sponsor the collection of information upon identical items, from ten or more persons, other than Federal employees, unless, in advance of adoption or revision of any plans or forms to be used in the collection—

(1) the agency has submitted to the Director the plans or forms, together with copies of pertinent regulations and of other related materials as the Director of the Bureau of the Budget has specified; and

(2) the Director has stated that he does not disapprove the proposed collection of information.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1304.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 424 (Dec. 24, 1942, ch. 811, § 5, 56 Stat. 1079).

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970 redesignated the Bureau of the Budget as the Office of Management and Budget.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3510 of this title.

§ 3510. Rules and regulations

The Director of the Bureau of the Budget may promulgate rules and regulations necessary to carry out sections 3501-3511 of this title.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 425 (Dec. 24, 1942, ch. 811, § 6, 56 Stat. 1079).

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970 redesignated the Bureau of the Budget as the Office of Management and Budget.

§ 3511. Penalty for failure to furnish information

A person failing to furnish information required by an agency shall be subject to penalties specifically prescribed by law, and no other penalty may be imposed either by way of fine or imprisonment or by the withdrawal or denial of a right, privilege, priority, allotment, or immunity, except when the right, privilege, priority, allotment, or immunity is legally conditioned on facts which would be revealed by the information requested.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., Supp. II, § 427 (Dec. 24, 1942, ch. 811, § 8, 56 Stat. 1080).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3510 of this title.

§ 3512. Information for independent regulatory agencies

(a) The Comptroller General of the United States shall review the collection of information required by independent Federal regulatory agencies described in section 3502 of this chapter to assure that information required by such agencies is obtained with a minimum burden upon business enterprises, especially small business enterprises, and other persons required to furnish the information. Unnecessary duplication of efforts in obtaining information already filed with other Federal agencies or departments through the use of reports, questionnaires, and other methods shall be eliminated as rapidly as practicable. Information collected and tabulated by an independent regulatory agency shall, as far as is expedient, be tabulated in a manner to maximize the usefulness of the information to other Federal agencies and the public.

(b) In carrying out the policy of this section, the Comptroller General shall review all existing information gathering practices of independent regulatory agencies as well as requests for additional information with a view toward—

(1) avoiding duplication of effort by independent regulatory agencies, and

(2) minimizing the compliance burden on business enterprises and other persons.

(c) In complying with this section, an independent regulatory agency shall not conduct or sponsor the collection of information upon an identical item from ten or more persons, other than Federal employees, unless, in advance of adoption or revision of any plans or forms to be used in the collection—

(1) the agency submitted to the Comptroller General the plans or forms, together with the copies of pertinent regulations and of other related materials as the Comptroller General has specified; and

(2) the Comptroller General has advised that the information is not presently available to the independent agency from another source within the Federal Government and has determined that the proposed plans or forms are consistent with the provision of this section. The Comptroller General shall maintain facilities for carrying out the purposes of this section and shall render such advice to the requestive independent regulatory agency within forty-five days.

(d) While the Comptroller General shall determine the availability from other Federal sources of the information sought and the appropriateness of the forms for the collection of such information, the independent regulatory

agency shall make the final determination as to the necessity of the information in carrying out its statutory responsibilities and whether to collect such information. If no advice is received from the Comptroller General within forty-five days, the independent regulatory agency may immediately proceed to obtain such information.

(e) Section 3508(a) of this chapter dealing with unlawful disclosure of information shall apply to the use of information by independent regulatory agencies.

(f) The Comptroller General may promulgate rules and regulations necessary to carry out this chapter.

(Added Pub. L. 93-153, title IV, § 409(b), Nov. 16, 1973, 87 Stat. 593.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 15 section 766.

CHAPTER 37—ADVERTISEMENTS BY GOVERNMENT AGENCIES

Sec.
3701. Advertisements for contracts in District of Columbia.
3702. Advertisements not to be published without written authority.
3703. Rate of payment for advertisements, notices, and proposals.

§ 3701. Advertisements for contracts in District of Columbia

Advertisements for contracts for the public service may not be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by the advertisement are to be furnished or performed in the District of Columbia or in the adjoining counties of Maryland or Virginia.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 321 (R.S. § 79; June 20, 1874, ch. 328, 18 Stat. 90; Feb. 18, 1875, ch. 80, § 1, 18 Stat. 317; July 31, 1876, ch. 246, 19 Stat. 105; Aug. 2, 1946, ch. 744, § 17(b), 60 Stat. 811; 1950 Reorg. Plan No. 20, § 2(b), eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272).

CROSS REFERENCES

Procurement procedures, advertising requirements, see section 253 of Title 41, Public Contracts.

Quality of quantities of paper for public printing, advertisements for proposals, see section 509 of this title.

Specifications in advertisements for paper, see section 510 of this title.

§ 3702. Advertisements not to be published without written authority

Advertisements, notices, or proposals for an executive department of the Government, or for a bureau or office connected with it, may not be published in a newspaper except under written authority from the head of the department; and a bill for advertising or publication may not be paid unless there is presented with the bill a copy of the written authority.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 324 (R.S. § 3828).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 302; title 22 section 2126.

§ 3703. Rate of payment for advertisements, notices, and proposals

Advertisements, notices, proposals for contracts, and all forms of advertising required by law for the several departments of the Government may be paid for at a price not to exceed the commercial rates charged to private individuals, with the usual discounts. But the heads of the several departments may secure lower terms at special rates when the public interest requires it. The rates shall include the furnishing of lawful evidence, under oath, of publication, to be made and furnished by the printer or publisher making publication.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§ 322, 325 (R.S. § 853; June 20, 1878, ch. 359, § 1, 20 Stat. 216; Sept. 23, 1950, ch. 1010, § 5, 64 Stat. 986).

The second sentence of former section 325 was added. The balance was superseded by former section 322 which will be found in section 3703 of the revision.